

STATE OF MINNESOTA

SEVENTY-FIRST SESSION - 1980

EIGHTY-FIFTH DAY

SAINT PAUL, MINNESOTA, MONDAY, MARCH 24, 1980

The House of Representatives convened at 11:00 a.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Aasness	Drew	Kahn	Nelson	Sherwood
Adams	Eken	Kaley	Niehaus	Sieben, H.
Ainley	Elioff	Kalis	Norman	Sieben, M.
Albrecht	Ellingson	Kelly	Novak	Simoneau
Anderson, B.	Erickson	Kempe	Nysether	Stadum
Anderson, D.	Esau	Knickerbocker	Olsen	Stoa
Anderson, G.	Evans	Kostohryz	Onnen	Stowell
Anderson, I.	Ewald	Kroening	Osthoff	Sviggum
Anderson, R.	Faricy	Kvam	Otis	Swanson
Battaglia	Fjoslien	Laidig	Patton	Thiede
Begich	Forsythe	Lehto	Pehler	Tomlinson
Berglin	Friedrich	Levi	Peterson, B.	Valan
Berkelman	Fritz	Long	Peterson, D.	Valento
Biersdorf	Fudro	Ludeman	Piepho	Vanasek
Blatz	Greenfield	Luknic	Pleasant	Voss
Brinkman	Halberg	Mann	Prahl	Waldorf
Byrne	Haukoos	McCarron	Redalen	Weaver
Carlson, D.	Heap	McDonald	Reding	Welch
Carlson, L.	Heinitz	McEachern	Rees	Welker
Casserly	Hoberg	Mehrkens	Reif	Wenzel
Clark	Hokanson	Metzen	Rice	Wieser
Clawson	Jacobs	Minne	Rodriguez	Wigley
Corbid	Jaros	Moe	Rothenberg	Wynia
Crandall	Jennings	Munger	Sarna	Zubay
Dean	Johnson, C.	Murphy	Schreiber	Spkr. Norton
Dempsey	Johnson, D.	Nelsen, B.	Searle	
Den Ouden	Jude	Nelsen, M.	Searles	

A quorum was present.

Rose was excused until 12:05 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Niehaus moved that further reading of the Journal be dispensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 1835, 2476, 1945, 1035, and 1121 and S. F. Nos. 2095, 1759, 1783, 1838, 1877, 1950, 1993, 2017, 2111, 2168, 1573, 1708 and 2122 have been placed in the members' files.

S. F. No. 2168 and H. F. No. 2197, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Carlson, D., moved that the rules be so far suspended that S. F. No. 2168 be substituted for H. F. No. 2197 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1708 and H. F. No. 2037, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Kaley moved that the rules be so far suspended that S. F. No. 1708 be substituted for H. F. No. 2037 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2122 and H. F. No. 2043, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Peterson, D., moved that the rules be so far suspended that S. F. No. 2122 be substituted for H. F. No. 2043 and that the House File be indefinitely postponed. The motion prevailed.

REPORTS OF STANDING COMMITTEES

Eken from the Committee on Rules and Legislative Administration to which was referred:

H. F. No. 2458, A bill for an act memorializing the President and Congress of the United States to block a plan of the Department of Energy to adopt rules prohibiting the weekend use of motorboats during the present energy crisis.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Casserly from the Committee on Local and Urban Affairs to which was referred:

S. F. No. 1322, A bill for an act relating to local government; providing for municipal planning; authorizing regulation of subdivisions; providing a penalty; amending Minnesota Statutes 1978, Sections 462.351; 462.352, by adding subdivisions; 462.355, Subdivision 4; 462.358, by adding subdivisions; 462.36, Subdivision 1; 505.14; repealing Minnesota Statutes 1978, Sections 462.352, Subdivision 4; and 462.358, Subdivisions 1, 2, 3 and 4.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 462.358, Subdivision 4, is amended to read:

Subd. 4. [RESTRICTIONS ON FILING AND RECORDING CONVEYANCES.] In a municipality in which subdivision regulations are in force and have been filed or recorded as provided in this section, no conveyance of land to which the regulations are applicable shall be filed or recorded, if the land is described in the conveyance by metes and bounds or by reference to an unapproved registered land survey made after April 21, 1961 or to an unapproved plat made after such regulations become effective. The foregoing provision does not apply to a conveyance if the land described:

(1) was a separate parcel of record April 1, 1945 or the date of adoption of subdivision regulations under Laws 1945, Chapter 287, whichever is the later, or of the adoption of subdivision regulations pursuant to a home rule charter, or

(2) was the subject of a written agreement to convey entered into prior to such time,

(3) was a separate parcel of not less than two and one-half acres in area and 150 feet in width on January 1, 1966, or

(4) *was a separate parcel of not less than five acres in area and 300 feet in width on July 1, 1980, or*

((4)) (5) is a single parcel of *commercial or industrial* land of not less than five acres and having a width of not less than 300 feet and its conveyance does not result in the division of the parcel into two or more lots or parcels, any one of which is less than five acres in area or 300 feet in width(.), or

(6) *is a single parcel of residential or agricultural land of not less than 20 acres and having a width of not less than 500 feet and its conveyance does not result in the division of the parcel into two or more lots or parcels, any one of which is less than 20 acres in area or 500 feet in width.*

In any case in which compliance with the foregoing restrictions will create an unnecessary hardship and failure to comply does not interfere with the purpose of the subdivision regulations, the platting authority may waive such compliance by adoption of a resolution to that effect and the conveyance may then be filed or recorded. Any owner or agent of the owner of land who conveys a lot or parcel in violation of the provisions of this subdivision shall forfeit and pay to the municipality a penalty of not less than \$100 for each lot or parcel so conveyed. A municipality may enjoin such conveyance or may recover such penalty by a civil action in any court of competent jurisdiction."

Delete the title in its entirety and insert:

"A bill for an act relating to local government; providing for regulation of subdivisions; amending Minnesota Statutes 1978, Section 462.358, Subdivision 4."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Rules and Legislative Administration.

The report was adopted.

Eken from the Committee on Rules and Legislative Administration to which was referred:

House Resolution No. 34, a house resolution relating to Handicapped Awareness Week.

Reported the same back with the recommendation that the resolution be adopted.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 2476 and 2458 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 2168, 1708 and 2122 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House File was introduced:

Evans; Anderson, R.; Searles; Friedrich and Carlson, D., introduced:

H. F. No. 2477, A bill for an act proposing an amendment to the Minnesota Constitution, Article IV, Section 12; limiting the time and subjects of legislative sessions.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House Files, herewith returned:

H. F. No. 2222, A bill for an act relating to insurance; authorizing business trusts to exchange reciprocal or interinsurance contracts; amending Minnesota Statutes 1978, Section 71A.01, Subdivision 1.

H. F. No. 2287, A bill for an act relating to the city of Edina; authorizing a temporary short term on-sale liquor license for a certain civic or charitable festival.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House Files, herewith returned:

H. F. No. 942, A bill for an act relating to pollution control; authorizing state use of up to two percent of federal construction grant funds to administer the federal water pollution control act; amending Minnesota Statutes 1978, Section 116.16, Subdivision 10.

H. F. No. 1349, A bill for an act relating to natural resources; authorizing the commissioner of natural resources to convey the interests of the state in certain lands in Kandiyohi county for the purpose of correcting conveyancing errors.

H. F. No. 1985, A bill for an act relating to municipal electric power; permitting municipal power agencies to contract and do business with foreign entities; amending Minnesota Statutes 1978, Section 453.52, Subdivision 9.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 1695, A bill for an act relating to highways; providing that a resolution of a county board revoking a county highway that would revert to a town is not effective until the highway meets town road specification standards; amending Minnesota Statutes 1978, Section 163.11, Subdivision 5a.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Berkelman moved that the House concur in the Senate amendments to H. F. No. 1695 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1695, A bill for an act relating to highways; providing that a resolution of a county board revoking a county highway that would revert to a town is not effective until the highway meets county road standards; amending Minnesota Statutes 1978, Section 163.11, Subdivision 5a.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Corbid	Heap	Levi	Olsen
Adams	Dean	Heinitz	Long	Onnen
Ainley	Dempsey	Hoberg	Ludeman	Osthoff
Albrecht	Den Ouden	Hokanson	Luknic	Otis
Anderson, B.	Drew	Jacobs	Mann	Patton
Anderson, D.	Eken	Jaros	McCarron	Pehler
Anderson, G.	Elioff	Jennings	McDonald	Peterson, B.
Anderson, I.	Ellingson	Johnson, C.	McEachern	Peterson, D.
Battaglia	Erickson	Johnson, D.	Mehrkens	Piepho
Begich	Esau	Jude	Metzen	Pleasant
Berglin	Evans	Kahn	Minne	Prahl
Berkelman	Ewald	Kaley	Moe	Redalen
Biersdorf	Faricy	Kalis	Munger	Reding
Blatz	Fjoslien	Kelly	Murphy	Rees
Brinkman	Forsythe	Kempe	Nelsen, B.	Reif
Byrne	Friedrich	Knickerbocker	Nelsen, M.	Rice
Carlson, D.	Fritz	Kostohryz	Nelson	Rodriguez
Carlson, L.	Fudro	Kroening	Niehaus	Rothenberg
Casserly	Greenfield	Kvam	Norman	Sarna
Clark	Halberg	Laidig	Novak	Schreiber
Clawson	Haukoos	Lehto	Nysether	Searles

Sherwood	Stowell	Valan	Weaver	Wigley
Sieben, H.	Sviggum	Valento	Welch	Wynia
Sieben, M.	Swanson	Vanasek	Welker	Zubay
Simoneau	Thiede	Voss	Wenzel	Spkr. Norton
Stoa	Tomlinson	Waldorf	Wieser	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 2135, A bill for an act relating to public welfare; providing that certain relatives of children receiving aid to families with dependent children are not responsible for contributions; amending Minnesota Statutes 1978, Section 256.87, Subdivision 1.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Hokanson moved that the House concur in the Senate amendments to H. F. No. 2135 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2135, A bill for an act relating to public welfare; providing that certain relatives of children receiving aid to families with dependent children are not responsible for contributions; amending Minnesota Statutes 1978, Section 256.87, Subdivision 1.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 125 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Biersdorf	Den Ouden	Friedrich	Jennings
Adams	Blatz	Drew	Fritz	Johnson, C.
Ainley	Brinkman	Eken	Fudro	Johnson, D.
Albrecht	Byrne	Ellioff	Greenfield	Jude
Anderson, B.	Carlson, D.	Ellingson	Halberg	Kahn
Anderson, D.	Carlson, L.	Erickson	Haukoos	Kaley
Anderson, G.	Casserly	Esau	Heap	Kalis
Anderson, I.	Clark	Evans	Heinitz	Kelly
Battaglia	Clawson	Ewald	Hoberg	Kempe
Begich	Corbid	Faricy	Hokanson	Knickerbocker
Berglin	Dean	Fjoslien	Jacobs	Kostohryz
Berkelman	Dempsey	Forsythe	Jaros	Kroening

Kvam	Moe	Patton	Rothenberg	Valan
Lehto	Munger	Pehler	Sarna	Valento
Levi	Murphy	Peterson, B.	Schreiber	Vanasek
Long	Nelsen, M.	Peterson, D.	Searle	Voss
Ludeman	Nelson	Piepho	Searles	Waldorf
Luknic	Niehaus	Pleasant	Sherwood	Weaver
Mann	Norman	Prahl	Sieben, M.	Welker
McCarron	Novak	Redalen	Simoneau	Wenzel
McDonald	Nysether	Reding	Stoa	Wieser
McEachern	Olsen	Rees	Stowell	Wigley
Mehrkens	Onnen	Reif	Sviggum	Wynia
Metzen	Osthoff	Rice	Swanson	Zubay
Minne	Otis	Rodriguez	Tomlinson	Spkr. Norton

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 924, A bill for an act relating to commerce; regulating conduct of business under assumed business names; amending Minnesota Statutes 1978, Sections 301.09; 333.01; 333.04; 333.06; and Chapter 333, by adding sections; repealing Minnesota Statutes 1978, Sections 333.001; 333.035; and 333.055.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Sherwood moved that the House concur in the Senate amendments to H. F. No. 924 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 924, A bill for an act relating to commerce; regulating conduct of business under assumed business names; amending Minnesota Statutes 1978, Sections 333.055, Subdivision 3; and 333.13.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 124 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Anderson, B.	Battaglia	Biersdorf	Carlson, L.
Adams	Anderson, D.	Begich	Blatz	Casserly
Ainley	Anderson, G.	Berglin	Brinkman	Clark
Albrecht	Anderson, I.	Berkelman	Byrne	Clawson

Crandall	Heinitz	Ludeman	Osthoff	Simoneau
Dean	Hoberg	Luknic	Otis	Stoa
Dempsey	Hokanson	Mann	Patton	Stowell
Den Ouden	Jacobs	McCarron	Pehler	Sviggum
Drew	Jaros	McDonald	Peterson, B.	Swanson
Eken	Jennings	McEachern	Peterson, D.	Thiede
Elioff	Johnson, C.	Mehrkens	Piepho	Tomlinson
Ellingson	Johnson, D.	Metzen	Pleasant	Valan
Erickson	Jude	Minne	Prahl	Valento
Esau	Kahn	Moe	Reding	Vanasek
Ewald	Kaley	Munger	Rees	Voss
Faricy	Kalis	Murphy	Reif	Waldorf
Fjoslien	Kelly	Nelsen, B.	Rice	Weaver
Forsythe	Kempe	Nelsen, M.	Rodriguez	Welker
Friedrich	Knickerbocker	Nelson	Rothenberg	Wenzel
Fritz	Kostohryz	Niehaus	Sarna	Wieser
Fudro	Kroening	Norman	Schreiber	Wigley
Greenfield	Kvam	Novak	Searle	Wynia
Halberg	Lehto	Nysether	Searles	Zubay
Haukoos	Levi	Olsen	Sherwood	Spkr. Norton
Heap	Long	Onnen	Sieben, M.	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 1997, 2136 and 2183.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 336, 2071, 2074 and 2134.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 1801, 1832, 1865, 2264 and 2265.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 870, 1690, 1931, 2042 and 2184.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 1648, 1749 and 1853.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 251, 1255 and 1649.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 1826, 1867 and 2193.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 2062 and 2117.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 1601, 1803 and 2195.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate File, herewith transmitted:

S. F. No. 630.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate File, herewith transmitted:

S. F. No. 1794.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 1997, A bill for an act relating to the city of Austin and Cook County; authorizing the establishment and financing of the capital cost of a solid waste disposal system and program in the city of Austin; providing for steam line construction agreements for Cook County and Independent School District No. 166.

The bill was read for the first time.

Reding moved that S. F. No. 1997 and H. F. No. 2022, now on Special Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2136, A bill for an act relating to elections; changing certain procedures and the effect of absentee ballots.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

S. F. No. 2183, A bill for an act relating to gambling devices; clarifying certain definitions; amending Minnesota Statutes 1978, Section 349.26, Subdivisions 4, 5, and 15.

The bill was read for the first time.

Reding moved that S. F. No. 2183 and H. F. No. 2230, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 336, A bill for an act relating to taxation; providing for state reimbursement of taxing districts for tax reduction granted to Title II and certain other property; appropriating money; amending Minnesota Statutes 1978, Section 276.04; and Chapter 273, by adding a section.

The bill was read for the first time and referred to the Committee on Taxes.

S. F. No. 2071, A bill for an act relating to financial institutions; providing that certain agreements taken by a bank and subject to a certain percentage limitation will not constitute a liability against it; providing for a different percentage limitation in certain cases; amending Minnesota Statutes 1978, Section 48.24, Subdivision 3.

The bill was read for the first time.

Ellingson moved that S. F. No. 2071 and H. F. No. 2286, now on Special Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2074, A bill for an act relating to industrial development; permitting hearings by a committee of the governing body; amending Minnesota Statutes, 1979 Supplement, Section 474.01, Subdivision 7b.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

S. F. No. 2134, A bill for an act relating to natural resources; providing for analysis of hydroelectric generating capacity of publicly owned dams; clarifying provisions relating to the administration of and authorization for dam repair and reconstruction grants; authorizing the employment of a person to administer grants; appropriating money; amending Minnesota Statutes 1978, Section 105.482, Subdivisions 1 and 4; Minnesota Statutes, 1979 Supplement, Section 105.482, Subdivisions 3 and 5a; and Laws 1979, Chapter 300, Section 4, Subdivisions 1 and 5.

The bill was read for the first time and referred to the Committee on Appropriations.

S. F. No. 1801, A bill for an act relating to the family; changing certain procedures and criteria for termination of parental rights; amending Minnesota Statutes 1978, Sections 260.221; 260.241, Subdivisions 1 and 2; and Chapter 260, by adding a section.

The bill was read for the first time and referred to the Committee on Judiciary.

S. F. No. 1832, A bill for an act relating to public utilities and telephone companies; regulating delinquency charges on customer or subscriber accounts.

The bill was read for the first time and referred to the Committee on Energy and Utilities.

S. F. No. 1865, A bill for an act relating to motor vehicles; clarifying penalty provisions for certain traffic violations; clarifying provisions which prohibit the operation of a motor vehicle while a driver's license is revoked or suspended; amending Minnesota Statutes 1978, Sections 169.141, Subdivision 2; 169.89, Subdivision 1; 171.20, Subdivision 2; and 171.24.

The bill was read for the first time.

Crandall moved that S. F. No. 1865 and H. F. No. 1925, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2264, A bill for an act relating to delivery or filing of documents; providing for timely delivery or filing of certain documents with respect to weekends and holidays; amending Minnesota Statutes 1978, Chapter 645, by adding a section.

The bill was read for the first time and referred to the Committee on Judiciary.

S. F. No. 2265, A bill for an act relating to municipalities; authorizing joint municipal franchising for cable communications; permitting the establishment of a port authority by the city of Bloomington; amending Minnesota Statutes 1978, Section 238.08, by adding a subdivision.

The bill was read for the first time.

Peterson, B., moved that S. F. No. 2265 and H. F. No. 2134, now on Special Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 870, A bill for an act relating to electric utilities; altering provisions for the required condemnation of lands contiguous to sites or routes of electric utilities; clarifying that certain required land condemnations need not be considered in environmental impact statements; amending Minnesota Statutes 1978, Sections 116C.63, Subdivision 4; and 116D.04, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

S. F. No. 1690, A bill for an act relating to state departments; providing for the creation of a state employee assistance program in the department of administration; amending Minnesota Statutes 1978, Section 16.02, by adding a subdivision.

The bill was read for the first time.

Elioff moved that S. F. No. 1690 and H. F. No. 2086, now on Special Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1931, A bill for an act relating to children; providing for venue for child custody proceedings; amending Minnesota Statutes, 1979 Supplement, Section 518.156, Subdivision 1.

The bill was read for the first time and referred to the Committee on Judiciary.

S. F. No. 2042, A bill for an act relating to the port authority of Winona; providing powers and conditions of debt; amending Laws 1967, Chapter 541, Section 1, as amended.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 2184, A bill for an act relating to Special School District No. 1; modifying the district's responsibility to develop a long range building plan and providing certain bonding authority; amending Laws 1963, Chapter 645, Section 3, Subdivision 5; and Laws 1959, Chapter 462, Section 3, Subdivision 7, as amended and renumbered.

The bill was read for the first time.

Long moved that S. F. No. 2184 and H. F. No. 2303, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1648, A bill for an act relating to taxation; real property; eliminating tax recapture upon certain sales of qualifying agricultural property; amending Minnesota Statutes 1978, Section 273.111, Subdivision 9, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Taxes.

S. F. No. 1749, A bill for an act relating to insurance; providing for the regulation of mass marketed life or health insurance; providing the commissioner with rule-making power on the subject of unfair methods and unfair or deceptive acts and practices; amending Minnesota Statutes 1978, Sections 72A.13; 72A.19; and 72A.41, Subdivision 1.

The bill was read for the first time.

Ellingson moved that S. F. No. 1749 and H. F. No. 1810, now on Special Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1853, A bill for an act relating to taxation; removing limitations on the admissibility of sales ratio studies; providing that property tax court judges shall be learned in the law; providing that certain documents be made available to the petitioner and providing for their admittance as evidence; providing that tax court judgments will not include penalties; amending Minnesota Statutes 1978, Sections 271.01, Subdivision 1; 272.70; 278.01, Subdivision 1; 278.05; and 278.08; Minnesota Statutes, 1979 Supplement, Section 124.212, Subdivision 11.

The bill was read for the first time.

Jacobs moved that S. F. No. 1853 and H. F. No. 2404, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 251, A bill for an act relating to cooperative associations; validating elections of directors by mail voting; authorizing mail voting for directors of cooperative associations; providing for voting by members' spouses; amending Minnesota Statutes 1978, Section 308.071; and Chapter 308, by adding a section.

The bill was read for the first time.

Albrecht moved that S. F. No. 251 and H. F. No. 2273, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1255, A bill for an act relating to tax-forfeited land sales; increasing the interest rate on the unpaid balance of the purchase price; amending Minnesota Statutes 1978, Sections 282.01, Subdivision 4; 282.222, Subdivision 4; 282.261; and 282.35, Subdivisions 2 and 3; and Minnesota Statutes, 1979 Supplement, Section 282.15.

The bill was read for the first time and referred to the Committee on Governmental Operations.

S. F. No. 1649, A bill for an act relating to agriculture; providing for testing to measure milk protein; providing for payments for milk protein and nonfat solids; amending Minnesota Statutes 1978, Section 32.25, Subdivision 1.

The bill was read for the first time.

Welch moved that S. F. No. 1649 and H. F. No. 1649, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1826, A bill for an act relating to probate; changing certain time limits for a personal representative to file an inventory and appraisal; amending Minnesota Statutes, 1979 Supplement, Section 524.3-706.

The bill was read for the first time and referred to the Committee on Judiciary.

S. F. No. 1867, A bill for an act relating to occupations and professions; allowing legal education courses to substitute for real estate education courses under certain circumstances; amending Minnesota Statutes 1978, Section 82.22, Subdivision 13.

The bill was read for the first time and referred to the Committee on Commerce, Economic Development and Housing.

S. F. No. 2193, A bill for an act relating to commerce; establishing certain time price differentials on retail installment sales of mobile homes; amending Minnesota Statutes 1978, Section 168.72.

The bill was read for the first time.

Rees moved that S. F. No. 2193 and H. F. No. 2297, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2062, A bill for an act relating to financial institutions; providing for interest rates on certain installment loans and open end loan account arrangements; granting certain lending powers to savings associations and savings and loan associations; amending Minnesota Statutes 1978, Sections 48.153; 51A.21, by adding a subdivision; and 52.14.

The bill was read for the first time.

Adams moved that S. F. No. 2062 and H. F. No. 2101, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2117, A bill for an act relating to commerce; providing for investments in certain loans by savings banks and savings associations; defining terms; exempting savings associations from licensing and bonding requirements of safe deposit companies; deleting the dollar limitation on examination fees; amending Minnesota Statutes 1978, Sections 50.14, Subdivision

5; 51A.02, Subdivisions 8 and 17, and by adding a subdivision; 51A.37, Subdivision 3; 55.06, Subdivision 1; and 55.095.

The bill was read for the first time.

Johnson, D., moved that S. F. No. 2117 and H. F. No. 2356, now on Special Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1601, A bill for an act relating to natural gas pipeline safety; transferring powers and duties in the administration of pipeline safety laws from the fire marshal division of the department of public safety to the department of public service; transferring personnel and records; appropriating funds; amending Minnesota Statutes 1978, Sections 299F.56, Subdivisions 5, and 6, and by adding a subdivision; 299F.57; 299F.58; 299F.60, Subdivisions 1 and 2; 299F.61, Subdivision 1; 299F.62; 299F.63; and 299F.64.

The bill was read for the first time and referred to the Committee on Governmental Operations.

S. F. No. 1803, A bill for an act relating to commerce; restricting the scope of the corporate take-over statute; amending Minnesota Statutes 1978, Sections 80B.02, Subdivision 5; 80B.03, Subdivisions 2 and 3; repealing Minnesota Statutes 1978, Sections 80B.02, Subdivision 8; and 80B.03, Subdivisions 4 and 5.

The bill was read for the first time and referred to the Committee on Commerce, Economic Development and Housing.

S. F. No. 2195, A bill for an act relating to employment agencies; exempting certain medical doctor placement services from licensing provisions; amending Minnesota Statutes 1978, Section 184.21, Subdivision 2.

The bill was read for the first time.

Sieben, M., moved that S. F. No. 2195 and H. F. No. 2206, now on Special Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 630, A bill for an act relating to commerce; providing for the licensing and regulation of mobile home dealers; imposing certain duties and prohibiting certain practices; providing penalties; amending Minnesota Statutes 1978, Sections 327.43, Subdivision 1; 327.51, Subdivision 1, and by adding subdivisions; 327.55, Subdivisions 1 and 4; and Chapter 327, by adding sections; and Minnesota Statutes, 1979 Supplement, Section 327.43, Subdivision 2.

The bill was read for the first time.

Patton moved that S. F. No. 630 and H. F. No. 615, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1794, A bill for an act relating to state lands; authorizing the sale at public auction of lands and interests in lands located in Mower and Fillmore Counties.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

PROGRESS REPORTS ON CONFERENCE COMMITTEES

Progress by the Conference Committee was reported to the House on the following bills: S. F. Nos. 74 and 572.

CONSIDERATION UNDER RULE 1.10

Pursuant to rule 1.10, Voss requested immediate consideration of H. F. Nos. 2476 and 2470.

H. F. No. 2476 was reported to the House.

SUSPENSION OF RULES

Pursuant to Article IV, Section 19, of the Constitution of the state of Minnesota, Voss moved that the rule therein be suspended and an urgency be declared so that H. F. No. 2476 be given its third reading and be placed upon its final passage. The motion prevailed.

Voss moved that the rules of the House be so far suspended that H. F. No. 2476 be given its third reading and be placed upon its final passage. The motion prevailed.

Pleasant moved to amend H. F. No. 2476 as follows:

Page 128, after line 5, insert:

"Sec. 140. [FEASIBILITY STUDY OF LIGHT RAIL TRANSIT IN METROPOLITAN AREA.] *The sum of \$150,000 is appropriated from the general fund to the metropolitan council established by Minnesota Statutes, Section 473.123, for the purpose of conducting a feasibility study of the use of light rail transit in the metropolitan area. The sum is available the day after final enactment and until June 1, 1981.*

The study shall:

(a) *define major operational characteristics of a light rail transit system in selected corridors;*

- (b) *quantify capital and operating costs;*
- (c) *evaluate the interface of the light rail transit system with other transit systems;*
- (d) *evaluate the impact of the light rail transit system on land-use and urban development;*
- (e) *evaluate the impact of the light rail transit system on energy and the environment;*
- (f) *compare light rail transit with bus and multipassenger alternatives;*
- (g) *identify available sources of funds from federal, state, local, private and other sources; and,*
- (h) *identify the conditions necessary for light rail transit to be feasible in the metropolitan area.*

Findings and recommendations shall be presented to the seventy-third session of the legislature."

Renumber the remaining sections.

A roll call was requested and properly seconded.

Fritz moved to amend the Pleasant amendment to H. F. No. 2476, as follows:

Page 1, line 6, delete "*metropolitan council*" and insert "*department of transportation*"

Page 1, line 7, delete "*established by Minnesota Statutes, Section 473.123,*"

The motion did not prevail and the amendment to the amendment was not adopted.

Zubay moved to amend the Pleasant amendment to H. F. No. 2476, as follows:

Page 2, line 1, delete "*bus*" insert "*electric and combustion motor driven buses*"

The motion prevailed and the amendment to the amendment was adopted.

The question recurred on the Pleasant amendment, as amended, and the roll was called. There 43 yeas and 79 nays as follows:

Those who voted in the affirmative were:

Adams	Ewald	Kroening	Patton	Stoa
Anderson, D.	Fjoslien	Kvam	Peterson, B.	Sviggunn
Berglin	Forsythe	Lehto	Pleasant	Swanson
Blatz	Fritz	Levi	Reif	Tomlinson
Byrne	Heap	Long	Rice	Valento
Carlson, L.	Heinitz	Munger	Rothenberg	Weaver
Dean	Jaros	Norman	Schreiber	Zubay
Drew	Knickerbocker	Olsen	Searle	
Erickson	Kostohryz	Osthoff	Searles	

Those who voted in the negative were:

Aasness	Dempsey	Jennings	Minne	Sieben, M.
Ainley	Den Ouden	Johnson, C.	Moe	Stadum
Albrecht	Eken	Johnson, D.	Murphy	Stowell
Anderson, B.	Elioff	Jude	Nelsen, B.	Thiede
Anderson, G.	Ellingson	Kahn	Nelson	Valan
Anderson, I.	Esau	Kaley	Niehaus	Vanasek
Anderson, R.	Evans	Kelly	Nysether	Voss
Battaglia	Faricy	Kempe	Onnen	Waldorf
Begich	Friedrich	Laidig	Peterson, D.	Welch
Berkelman	Fudro	Ludeman	Piepho	Welker
Brinkman	Greenfield	Mann	Redalen	Wenzel
Carlson, D.	Halberg	McCarron	Rees	Wieser
Clark	Haukoos	McDonald	Rodriguez	Wigley
Clawson	Hoberg	McEachern	Sarna	Wynia
Corbid	Hokanson	Mehrkens	Sherwood	Spkr. Norton
Crandall	Jacobs	Metzen	Sieben, H.	

The motion did not prevail and the amendment, as amended, was not adopted.

Stadum moved to amend H. F. No. 2476, as follows:

Page 11, line 33, delete "20,031,100" insert "17,031,100"

Page 12, line 3, delete "14,600,000" insert "11,600,000"

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll was called. There were 53 yeas and 73 nays as follows:

Those who voted in the affirmative were:

Aasness	Crandall	Fjoslien	Kalis	Nelsen, B.
Ainley	Dean	Friedrich	Kostohryz	Niehaus
Albrecht	Dempsey	Fritz	Kvam	Nysether
Anderson, B.	Den Ouden	Haukoos	Levi	Onnen
Anderson, I.	Drew	Hoberg	Ludeman	Peterson, B.
Biersdorf	Erickson	Jennings	Luknic	Piepho
Blatz	Esau	Johnson, D.	McDonald	Redalen
Carlson, D.	Ewald	Kaley	Mehrkens	Rees

Reif	Stadum	Thiede	Welker	Zubay
Searles	Stowell	Valan	Wieser	
Sherwood	Sviggum	Valento	Wigley	

Those who voted in the negative were:

Adams	Eken	Kahn	Norman	Sieben, H.
Anderson, D.	Elioff	Kelly	Novak	Sieben, M.
Anderson, G.	Ellingson	Kempe	Olsen	Stoa
Anderson, R.	Evans	Knickerbocker	Osthoff	Swanson
Battaglia	Faricy	Kroening	Otis	Tomlinson
Begich	Forsythe	Laidig	Patton	Vanasek
Berglin	Fudro	Lehto	Pehler	Voss
Berkelman	Greenfield	Long	Peterson, D.	Waldorf
Brinkman	Halberg	Mann	Prahl	Weaver
Byrne	Heinitz	McCarron	Reding	Welch
Carlson, L.	Hokanson	Metzen	Rice	Wenzel
Casserly	Jacobs	Minne	Rodriguez	Wynia
Clark	Jaros	Moe	Rose	Spkr. Norton
Clawson	Johnson, C.	Murphy	Rothenberg	
Corbid	Jude	Nelson	Sarna	

The motion did not prevail and the amendment was not adopted.

Biersdorf moved to amend H. F. No. 2476, as follows:

Page 56, line 24, delete "*the game*" and insert "*the general fund*"

Page 56, line 25, delete "*and fish fund*"

Page 57, line 16, delete "*the game and fish fund*" and insert "*the general fund*"

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll was called. There were 46 yeas and 80 nays as follows:

Those who voted in the affirmative were:

Adams	Dempsey	Johnson, C.	Patton	Thiede
Anderson, I.	Den Ouden	Kalis	Pehler	Valento
Battaglia	Elioff	Kempe	Piepho	Vanasek
Begich	Fjoslien	Kostohryz	Redalen	Weaver
Berkelman	Friedrich	McEachern	Reding	Welch
Biersdorf	Fudro	Metzen	Rose	Wieser
Brinkman	Heap	Murphy	Rothenberg	
Carlson, D.	Heinitz	Nelsen, B.	Sarna	
Carlson, L.	Hoberg	Nelsen, M.	Stowell	
Clawson	Jacobs	Olsen	Sviggum	

Those who voted in the negative were:

Aasness	Albrecht	Berglin	Byrne	Clark
Ainley	Anderson, R.	Blatz	Casserly	Corbid

Crandall	Haukoos	Long	Onnen	Sieben, M.
Dean	Hokanson	Ludeman	Osthoff	Stadum
Drew	Jaros	Luknic	Otis	Stoa
Eken	Jennings	Mann	Peterson, B.	Swanson
Ellingson	Johnson, D.	McCarron	Peterson, D.	Tomlinson
Erickson	Jude	McDonald	Pleasant	Valan
Esau	Kahn	Mehrkens	Prahl	Voss
Evans	Kaley	Minne	Rees	Waldorf
Ewald	Kelly	Munger	Reif	Welker
Faricy	Knickerbocker	Nelson	Rice	Wenzel
Forsythe	Kroening	Niehaus	Rodriguez	Wigley
Fritz	Kvam	Norman	Searles	Wynia
Greenfield	Laidig	Novak	Sherwood	Zubay
Halberg	Levi	Nysether	Sieben, H.	Spkr. Norton

The motion did not prevail and the amendment was not adopted.

Fritz moved to amend H. F. No. 2476, as follows:

Page 128, after line 5, insert:

"Sec. 140. [FARE ASSUMPTIONS.] *Fares charged by the metropolitan transit commission shall be established in January of each year on an assumption that fares, together with social fare reimbursements, advertising revenue and revenue from contracts which contribute directly to covering costs of services, should provide at least 50 percent of the cost of regular transit services.*"

Page 128, line 19, delete "140" and insert "141"

Page 128, line 20, delete "140" and insert "141"

Renumber the sections accordingly

A roll call was requested and properly seconded.

Swanson moved to amend the Fritz amendment to H. F. No. 2476, as follows:

After "services" and before the period insert:

"and no community shall be taxed to pay over 100 percent of the cost of a ride"

A roll call was requested and properly seconded.

The question was taken on the Swanson amendment to the Fritz amendment and the roll was called. There were 49 yeas and 68 nays as follows:

Those who voted in the affirmative were:

Aasness	Evans	Kaley	Metzen	Simoneau
Adams	Ewald	Kelly	Novak	Stowell
Biersdorf	Fjoslien	Kempe	Osthoff	Sviggum
Blatz	Forsythe	Kostohryz	Peterson, B.	Swanson
Carlson, D.	Friedrich	Kvam	Piepho	Valento
Carlson, L.	Fritz	Laidig	Pleasant	Voss
Dempsey	Heinitz	Levi	Redalen	Wieser
Den Ouden	Hoberg	Mann	Reif	Wigley
Drew	Hokanson	McCarron	Schreiber	Zubay
Esau	Jacobs	McEachern	Sieben, M.	

Those who voted in the negative were:

Anderson, B.	Dean	Kahn	Norman	Sherwood
Anderson, D.	Eken	Kalis	Nysether	Stadum
Anderson, G.	Elioff	Kroening	Olsen	Stoa
Anderson, I.	Ellingson	Lehto	Onnen	Thiede
Battaglia	Faricy	Ludeman	Otis	Tomlinson
Begich	Fudro	Luknic	Patton	Valan
Berkelman	Greenfield	McDonald	Pehler	Vanasek
Brinkman	Halberg	Mehrkens	Peterson, D.	Waldorf
Byrne	Haukoos	Minne	Reding	Weaver
Casserly	Heap	Munger	Rees	Welker
Clark	Jennings	Murphy	Rice	Wenzel
Clawson	Johnson, C.	Nelsen, B.	Rodriguez	Wynia
Corbid	Johnson, D.	Nelson	Rothenberg	
Crandall	Jude	Niehaus	Searles	

The motion did not prevail and the amendment to the amendment was not adopted.

The question recurred on the Fritz amendment and the roll was called. There were 64 yeas and 68 nays as follows:

Those who voted in the affirmative were:

Aasness	Evans	Kalis	Onnen	Sherwood
Ainley	Ewald	Kempe	Peterson, B.	Stadum
Albrecht	Fjoslien	Kvam	Piepho	Stowell
Biersdorf	Forsythe	Levi	Pleasant	Sviggum
Blatz	Friedrich	Ludeman	Prahl	Thiede
Carlson, D.	Fritz	Luknic	Redalen	Valan
Crandall	Halberg	McDonald	Reding	Valento
Dempsey	Haukoos	McEachern	Rees	Welch
Den Ouden	Heinitz	Mehrkens	Reif	Welker
Drew	Hoberg	Nelsen, B.	Rose	Wieser
Elioff	Jennings	Niehaus	Schreiber	Wigley
Erickson	Johnson, D.	Norman	Searle	Zubay
Esau	Kaley	Nysether	Searles	

Those who voted in the negative were:

Adams	Berkelman	Corbid	Heap	Kelly
Anderson, B.	Brinkman	Dean	Hokanson	Knickerbocker
Anderson, D.	Byrne	Eken	Jacobs	Kostohryz
Anderson, G.	Carlson, L.	Ellingson	Jaros	Kroening
Anderson, I.	Casserly	Faricy	Johnson, C.	Laidig
Battaglia	Clark	Fudro	Jude	Lehto
Berglin	Clawson	Greenfield	Kahn	Long

Mann	Nelsen, M.	Pehler	Sieben, M.	Waldorf
McCarron	Nelson	Peterson, D.	Simoneau	Weaver
Metzen	Novak	Rice	Stoa	Wenzel
Minne	Olsen	Rodriguez	Swanson	Wynia
Moe	Osthoff	Rothenberg	Tomlinson	Spkr. Norton
Munger	Otis	Sarna	Vanasek	
Murphy	Patton	Sieben, H.	Voss	

The motion did not prevail and the amendment was not adopted.

Carlson, D., moved to amend H. F. No. 2476, as follows:

Page 12, line 23, delete "It shall be expended only if"

Page 12, delete lines 24 through 27

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll was called. There were 29 yeas and 95 nays as follows:

Those who voted in the affirmative were:

Ainley	Den Ouden	Heinitz	Mehrkens	Schreiber
Albrecht	Erickson	Jacobs	Murphy	Stowell
Anderson, I.	Esau	Jude	Nelsen, B.	Sviggum
Biersdorf	Fjoslien	Kaley	Niehaus	Wigley
Carlson, D.	Friedrich	Kalis	Pleasant	Zubay
Dempsey	Haukoos	McDonald	Redalen	

Those who voted in the negative were:

Adams	Eken	Kostohryz	Novak	Sieben, H.
Anderson, B.	Elioff	Kroening	Nysether	Sieben, M.
Anderson, D.	Ellingson	Kvam	Olsen	Simoneau
Anderson, G.	Faricy	Laidig	Onnen	Stadum
Battaglia	Forsythe	Lehto	Osthoff	Stoa
Begich	Fritz	Levi	Otis	Swanson
Berglin	Fudro	Long	Pehler	Thiede
Berkelman	Greenfield	Ludeman	Peterson, B.	Tomlinson
Blatz	Halberg	Luknic	Peterson, D.	Valan
Brinkman	Heap	Mann	Piepho	Vanasek
Byrne	Hoberg	McCarron	Prahl	Voss
Carlson, L.	Hokanson	McEachern	Reding	Waldorf
Casserly	Jennings	Metzen	Rees	Weaver
Clark	Johnson, C.	Minne	Reif	Welch
Clawson	Johnson, D.	Moe	Rice	Welker
Corbid	Kahn	Munger	Rodriguez	Wenzel
Crandall	Kelly	Nelsen, M.	Rothenberg	Wieser
Dean	Kempe	Nelson	Sarna	Wynia
Drew	Knickerbocker	Norman	Sherwood	Spkr. Norton

The motion did not prevail and the amendment was not adopted.

CALL OF THE HOUSE

On the motion of Voss and on the demand of 10 members, a call of the House was ordered. The following members answered to their names:

Aasness	Drew	Kempe	Nysether	Simoneau
Adams	Ellingson	Knickerbocker	Olsen	Stadum
Ainley	Erickson	Kostohryz	Onnen	Stoa
Albrecht	Esau	Kroening	Osthoff	Stowell
Anderson, B.	Evans	Kvam	Otis	Sviggum
Anderson, D.	Ewald	Laidig	Patton	Swanson
Anderson, G.	Fjoslien	Lehto	Pehler	Thiede
Anderson, I.	Forsythe	Levi	Peterson, B.	Tomlinson
Anderson, R.	Friedrich	Long	Peterson, D.	Valan
Battaglia	Fritz	Ludeman	Piepho	Valento
Begich	Fudro	Luknic	Prahl	Vanasek
Berglin	Greenfield	Mann	Redalen	Voss
Berkelman	Halberg	McCarron	Reding	Waldorf
Biersdorf	Haukoos	McDonald	Rees	Weaver
Blatz	Heap	McEachern	Reif	Welch
Brinkman	Heinitz	Mehrrens	Rice	Welker
Byrne	Hoberg	Metzen	Rodriguez	Wenzel
Carlson, D.	Hokanson	Minne	Rose	Wieser
Carlson, L.	Jacobs	Munger	Rothenberg	Wigley
Casserly	Jennings	Murphy	Sarna	Wynia
Clawson	Johnson, C.	Nelsen, B.	Schreiber	Zubay
Corbid	Johnson, D.	Nelsen, M.	Searle	Spkr. Norton
Crandall	Jude	Nelson	Searles	
Dean	Kahn	Niehaus	Sherwood	
Dempsey	Kaley	Norman	Sieben, H.	
Den Ouden	Kelly	Novak	Sieben, M.	

Voss moved that further proceedings of the roll call be dispensed with and that the Sergeant at Arms be instructed to bring in the absentees. The motion prevailed and it was so ordered.

H. F. No. 2476, A bill for an act relating to the organization and operation of state government; clarifying, providing for deficiencies in, and supplementing appropriations for the expenses of state government with certain conditions; appropriating money; amending Minnesota Statutes 1978, Sections 3A.03, Subdivision 2; 3A.04, Subdivisions 3 and 4; 15.0597, Subdivisions 3, 4, 5, 6 and 7; 15.50, Subdivision 1; 16.854, Subdivision 1; 16A.131, by adding a subdivision; 16A.67, Subdivision 1; 16A.721; 43.005, by adding a subdivision; 43.05, Subdivision 2; 43.062, Subdivisions 1, 2 and 3; 43.065; 43.067, Subdivision 2; 43.068; 43.323, Subdivisions 1 and 2; 43.35; 62D, by adding a subdivision; 82.34; 90.195; 94.10, Subdivision 1; 94.16; 121.90; 121.902, Subdivision 1; 121.906, Subdivision 2; 121.908; 121.912, Subdivision 2; 121.914, Subdivision 1; 136.81, Subdivision 1; 145.913, Subdivision 3; 214.06, Subdivision 1; 216.16; 216A.01; 216A.03, Subdivision 3, and by adding a subdivision; 216A.04, Subdivisions 1 and 3, and by adding a subdivision; 216A.05, Subdivisions 4 and 5; 216A.07; 216B.17, Subdivision 1; 216B.19; 216B.54; 216B.62, Subdivisions 2 and 3; 216B.64; 237.02; 237.12; 237.295, Subdivisions 1 and 2; 246.014; 352.01, Subdivision 2B; 352.04, Subdivision 5; 352.73, Subdivision 3; 352B.25;

352C.04, Subdivision 3; 352C.09, Subdivision 2; 353.83; 354.55, Subdivision 5; 355.46, Subdivision 3; 355.50; 403.11, Subdivision 3; 473.408, Subdivision 3; 490.123, Subdivision 1; and Chapters 16, by adding sections; 16A, by adding sections; 97, by adding a section; 121, by adding sections; 216A, by adding a section; 246, by adding a section; 253A, by adding a section; 256, by adding a section; 259, by adding a section; Minnesota Statutes, 1979 Supplement, Sections 3.3005, Subdivision 4; 15A.083, Subdivision 4; 16A.126; 174.28, Subdivision 2; 43.09, Subdivision 2a; 43.24; 82.81, Subdivision 1; 121.917, Subdivision 4; 354A.12, Subdivision 2; 422A.101, Subdivision 3; and Laws 1979, Chapter 300, Section 4, Subdivisions 1 and 5; 301, Section 3 by adding a subdivision; repealing Minnesota Statutes 1978, Sections 3A.11, Subdivision 3; 43.03; 43.06; 121.92, Subdivision 1; 216B.62, Subdivision 1; 352.73, Subdivision 4; 354.43, Subdivision 2; 490.025, Subdivision 8; Minnesota Statutes, 1979 Supplement, Sections 16.93; 16.965; 121.92, Subdivision 2; and Laws 1979, Chapter 217, Section 11.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 134 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Drew	Kahn	Nelson	Searles
Adams	Eken	Kaley	Niehaus	Sherwood
Ainley	Elioff	Kalis	Norman	Sieben, H.
Albrecht	Ellingson	Kelly	Novak	Sieben, M.
Anderson, B.	Erickson	Kempe	Nysether	Simoneau
Anderson, D.	Esau	Knickerbocker	Olsen	Stadum
Anderson, G.	Evans	Kostohryz	Onnen	Stoa
Anderson, I.	Ewald	Kroening	Osthoff	Stowell
Anderson, R.	Faricy	Kvam	Otis	Sviggunn
Battaglia	Fjoslien	Laidig	Patton	Swanson
Begich	Forsythe	Lehto	Pehler	Thiede
Berglin	Friedrich	Levi	Peterson, B.	Tomlinson
Berkelman	Fritz	Long	Peterson, D.	Valan
Biersdorf	Fudro	Ludeman	Piepho	Valento
Blatz	Greenfield	Luknic	Pleasant	Vanasek
Brinkman	Halberg	Mann	Prahl	Voss
Byrne	Haukoos	McCarron	Redalen	Waldorf
Carlson, D.	Heap	McDonald	Reding	Weaver
Carlson, L.	Heinitz	McEachern	Rees	Welch
Casserly	Hoberg	Mehrkens	Reif	Welker
Clark	Hokanson	Metzen	Rice	Wenzel
Clawson	Jacobs	Minne	Rodriguez	Wieser
Corbid	Jaros	Moe	Rose	Wigley
Crandall	Jennings	Munger	Rothenberg	Wynia
Dean	Johnson, C.	Murphy	Sarna	Zubay
Dempsey	Johnson, D.	Nelsen, B.	Schreiber	Spkr. Norton
Den Ouden	Jude	Nelsen, M.	Searle	

The bill was passed and its title agreed to.

H. F. No. 2470 was reported to the House.

Den Ouden moved to amend H. F. No. 2470, as follows:

Page 2, delete lines 8 to 15

Renumber the subsections accordingly

Page 1, line 16, delete "\$1,042,500" and insert "\$430,000"

Page 2, line 1, delete "\$12,304,700" and insert "\$11,685,200"

Page 2, line 6, delete "\$1,042,500" and insert "\$430,000"

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll was called.

Voss moved that those not voting be excused from voting. The motion prevailed.

There were 59 yeas and 72 nays as follows:

Those who voted in the affirmative were:

Aasness	Erickson	Kaley	Norman	Stadum
Ainley	Esau	Kalis	Nysether	Stoa
Albrecht	Ewald	Kempe	Onnen	Stowell
Anderson, R.	Fjoslien	Knickerbocker	Patton	Swiggum
Biersdorf	Forsythe	Kvam	Peterson, B.	Thiede
Blatz	Friedrich	Levi	Piepho	Valan
Carlson, D.	Fritz	Ludeman	Pleasant	Valento
Corbid	Haukoos	Luknic	Redalen	Weaver
Crandall	Hoberg	McDonald	Reding	Welker
Dempsey	Jennings	McEachern	Rees	Wieser
Den Ouden	Johnson, D.	Mehrkens	Searles	Zubay
Drew	Jude	Niehaus	Sherwood	

Those who voted in the negative were:

Adams	Dean	Kostohryz	Olsen	Sieben, M.
Anderson, B.	Eken	Kroening	Osthoff	Simoneau
Anderson, D.	Elioff	Laidig	Otis	Swanson
Anderson, G.	Evans	Lehto	Pehler	Tomlinson
Anderson, I.	Faricy	Long	Peterson, D.	Vanasek
Battaglia	Fudro	Mann	Prahl	Voss
Begich	Greenfield	McCarron	Reif	Waldorf
Berglin	Heap	Metzen	Rice	Welch
Berkelman	Heinitz	Minne	Rodriguez	Wenzel
Brinkman	Hokanson	Moe	Rose	Wigley
Byrne	Jacobs	Munger	Rothenberg	Wynia
Carlson, L.	Jaros	Murphy	Sarna	Spkr. Norton
Casserly	Johnson, C.	Nelsen, B.	Schreiber	
Clark	Kahn	Nelson	Searle	
Clawson	Kelly	Novak	Sieben, H.	

The motion did not prevail and the amendment was not adopted.

H. F. No. 2470, A bill for an act relating to public improvements; authorizing alteration, repair, rehabilitation, equipping, and replacement of equipment of public buildings with certain conditions; authorizing purchase and sale of public lands and buildings; appropriating money.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called.

Knickerbocker moved that those not voting be excused from voting. The motion prevailed.

There were 130 yeas and 3 nays as follows:

Those who voted in the affirmative were:

Aasness	Den Ouden	Jude	Nelson	Searles
Adams	Drew	Kahn	Niehaus	Sherwood
Ainley	Eken	Kaley	Norman	Sieben, H.
Albrecht	Elioff	Kelly	Novak	Sieben, M.
Anderson, B.	Ellingson	Kempe	Nysether	Simoneau
Anderson, D.	Erickson	Knickerbocker	Olsen	Stadum
Anderson, G.	Esau	Kostohryz	Onnen	Stoa
Anderson, I.	Evans	Kroening	Osthoff	Stowell
Anderson, R.	Ewald	Kvam	Otis	Sviggum
Battaglia	Faricy	Laidig	Patton	Swanson
Begich	Fjoslien	Lehto	Pehler	Thiede
Berglin	Forsythe	Levi	Peterson, B.	Tomlinson
Berkelman	Friedrich	Long	Peterson, D.	Valan
Biersdorf	Fritz	Ludeman	Piepho	Valento
Blatz	Fudro	Luknic	Pleasant	Vanasek
Brinkman	Greenfield	Mann	Prahl	Voss
Byrne	Haukoos	McCarron	Redalen	Waldorf
Carlson, D.	Heap	McEachern	Rees	Weaver
Carlson, L.	Heinitz	Mehrkens	Reif	Welch
Casserly	Hoberg	Metzen	Rice	Welker
Clark	Hokanson	Minne	Rodriguez	Wenzel
Clawson	Jacobs	Moe	Rose	Wieser
Corbid	Jaros	Munger	Rothenberg	Wigley
Crandall	Jennings	Murphy	Sarna	Wynia
Dean	Johnson, C.	Nelsen, B.	Schreiber	Zubay
Dempsey	Johnson, D.	Nelsen, M.	Searle	Spkr. Norton

Those who voted in the negative were:

Kalis McDonald Reding

The bill was passed and its title agreed to.

There being no objection the order of business reverted to Reports of Standing Committees.

REPORTS OF STANDING COMMITTEES

Sieben, H., from the Committee on Taxes to which was referred:

H. F. No. 1047, A bill for an act relating to county and county regional jails; providing for establishment and use of county jails and county regional jails and the financing thereof by county contributions and bonds and municipal revenue bonds and leases; amending Minnesota Statutes 1978, Sections 474.01, Subdivisions 7a and 8, and by adding a subdivision; 474.02, by adding a subdivision; 641.23; 641.24; 641.262, Subdivision 1; 641.263, Subdivision 2; 641.264, Subdivision 1; 641.265; and 642.04.

Reported the same back with the following amendments:

Page 1, after line 14, insert:

"Section 1. Minnesota Statutes 1978, Section 375.18, Subdivision 3, is amended to read:

Subd. 3. [COURTHOUSE, JAIL.] Each county board may erect, furnish, and maintain a suitable court house (AND JAIL,) but no indebtedness shall be created for such purpose in excess of one and two-thirds mills on each dollar of assessed valuation without the approval of a majority of the voters of the county voting on the question of issuing the obligation at an election."

Page 2, line 31, delete "(5)" and insert "(6)"

Page 2, line 32, delete "(11)" and insert "(12)"

Page 3, line 9 to 11, delete the underscored text and insert:

"provisions of chapter 475, provided that:

(a) The amount of all bonds issued for this purpose and interest on them which are due and payable in any year shall not exceed an amount equal to four mills times the assessed value of taxable property within the county, as last determined before the bonds are issued; and

(b) No election shall be required, if the issuance of the bonds is authorized by resolution of the county board after a public hearing on the acquisition or betterment of the jail, held upon notice published in the official county newspaper on a date at least 30 days before the hearing, stating the time and place of the hearing, the place where the plans approved by the commissioner of corrections may be examined, and the estimated cost including all incidental costs"

Page 6, line 4, strike "chapter 475" and insert "section 641.23"

Renumber the sections in order

Further, amend the title:

Page 1, line 7, after "Sections" insert "385.18, Subdivision 3;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Sieben, H., from the Committee on Taxes to which was referred:

H. F. No. 2436, A bill for an act relating to the city of Duluth; providing for certain city tax revenues; repealing Laws 1973, Chapter 461, as amended; and Laws 1977, Chapter 438, as amended.

Reported the same back with the following amendments:

Page 1, line 22, delete the language after "(c)"

Page 2, line 1, delete "\$100,000 for any taxpayer"

Page 2, line 3, after the period insert "The tax imposed pursuant to this subdivision shall terminate no later than December 31, 1992."

Page 2, line 9, delete "of only those" and insert "from the sale of lodging for periods of less than 30 days in"

Page 2, line 10, delete "which have 18 units or more, and" and insert "located in the city."

Page 2, line 31, after the period insert "If the city council approves the imposition of the tax authorized under section 1, subdivision 2, it may provide for the exemption from taxation of sales of food, meals or drinks at establishments having an aggregate yearly amount of sales less than an amount to be set by the council. If the city council approves the imposition of the tax authorized under section 2, it may provide for the exemption from taxation of sales of lodging at hotels or motels having less than a number of rental units to be set by the council. The determination of the amount of sales and number of units which qualify for the exemption shall be based on the council's finding that establishments having a lower volume of sales or fewer units are less likely to profit from the promotion of tourism provided with the proceeds of the revenues pursuant to section 3."

With the recommendation that when so amended the bill pass.

The report was adopted.

Sieben, H., from the Committee on Taxes to which was referred:

S. F. No. 507, A bill for an act relating to taxation; providing for a levy apportionment for certain jurisdictions upon an assessment level differential greater than five percent; amending Minnesota Statutes 1978, Section 270.12, Subdivision 3.

Reported the same back with the following amendments:

Page 1, line 16, reinstate "(MAY)" and delete "shall"

With the recommendation that when so amended the bill pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 1047 and 2436 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. No. 507 was read for the second time.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the repassage by the Senate of the following Senate File, notwithstanding the veto by the Governor:

S. F. No. 550, A bill for an act relating to elections; regulating campaign financing; increasing certain expenditure limits; amending Minnesota Statutes 1978, Section 10A.25, Subdivision 2.

The enrolled copy of Senate File No. 550, with all of the signatures of the officers of the Senate and the House together with the Governor's objections, is herewith transmitted.

PATRICK E. FLAHAVEN, Secretary of the Senate

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
ST. PAUL 55155

March 10, 1980

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

I am vetoing Senate File 550. This act, if allowed to become law, would have permitted candidates campaigning for a legislative or constitutional office to spend an increased amount of money on their elections.

The focus of public policy should turn from the cost of a campaign to the sources of the money for a campaign.

I have long been an advocate of reduced contribution limits. It is illogical to assume that candidates are tainted by the amount they spend on their campaigns. Rather, the potential for creating undue influence is derived from the amount any one individual or group can contribute to a candidate.

Merely increasing spending limits is not the solution to ensure that elections will be fair and free from abuse. It's my belief that S. F. No. 550 has the potential of repressing rather than improving our political process.

Campaign financing is an important facet of Minnesota's Ethics in Government Act. It is an area of law which should be addressed *in toto* rather than piecemeal. By simply raising expenditure limits the Legislature has failed to consider other changes which have been recently suggested by the Ethical Practices Board. This Board is given the statutory authority to indicate apparent abuses and offer legislative recommendations regarding this Act.

For seven months the Board undertook an extensive analysis of public financing of election campaigns. Their study focused on how well Minnesota's program has met the goals of the public financing system which was adopted in 1974.

Their report, transmitted to the Legislature in January, recommended the *elimination* of expenditure limits. The bipartisan Board concluded:

- a. Spending limits do not hold down the costs of campaigns;

b. Spending limits inhibit a challenger's ability to obtain name recognition and identity which any incumbent inherently has already acquired;

c. Current emphasis on spending limits is misdirected. Rather, public policy should be to control the impact of campaign money by a reduction in contribution limits.

I find it regrettable that the Legislature not only acted contrary to the Board's conclusions, but more disturbing, failed to even consider them before enacting this bill.

It is quite apparent that the provision of S. F. No. 550 are politically motivated. This act has been placed on my desk without careful study or legislative deliberation. This law would not benefit the people of this State.

I am encouraged that the Senate Elections Committee has adopted several of the recommendations of the Ethical Practices Board. I urge that they all be adopted. The Board's recommendations which received unanimous approval included:

a. Increase the political checkoff to \$2.00 (single) and \$4.00 (joint);

b. Eliminate the party designated checkoff;

c. Substitute a matching fund system for the current grant system of public financing;

d. Eliminate campaign expenditure limits;

e. Reduce contribution limits.

For the reasons set forth in this message, and with the hope that the Board's recommendations be adopted, I cannot allow S. F. No. 550 to become law. I am, therefore, returning it to you unsigned.

Sincerely,

ALBERT H. QUIE
Governor

Osthoff moved that S. F. No. 550 be now reconsidered and repassed, the objections of the Governor notwithstanding, pursuant to Article IV, Section 23, of the Constitution of the State of Minnesota.

Kempe was excused from 4:45 p.m. to 6:30 p.m.

The question was taken on the motion of Osthoff to reconsider and repass S. F. No. 550, the objections of the Governor notwithstanding, pursuant to Article IV, Section 23, of the Constitution of the State of Minnesota and the roll was called viva voce. There were 68 yeas and 65 nays as follows:

Those who voted in the affirmative were:

Adams	Corbid	Kalis	Nelsen, M.	Sieben, M.
Anderson, B.	Eken	Kelly	Nelson	Simoneau
Anderson, G.	Elioff	Kostohryz	Novak	Stoa
Anderson, I.	Ellingson	Kroening	Osthoff	Swanson
Battaglia	Faricy	Lehto	Otis	Tomlinson
Begich	Fritz	Long	Patton	Vanasek
Berglin	Fudro	Mann	Pehler	Voss
Berkelman	Greenfield	McCarron	Peterson, D.	Waldorf
Brinkman	Hokanson	McEachern	Prahl	Welch
Byrne	Jacobs	Metzen	Reding	Wenzel
Carlson, L.	Jaros	Minne	Rice	Wynia
Casserly	Johnson, C.	Moe	Rodriguez	Spkr. Norton
Clark	Jude	Munger	Sarna	
Clawson	Kahn	Murphy	Sieben, H.	

Those who voted in the negative were:

Aasness	Erickson	Johnson, D.	Nysether	Searles
Ainley	Esau	Kaley	Olsen	Sherwood
Albrecht	Evans	Knickerbocker	Onnen	Stadum
Anderson, D.	Ewald	Kvam	Peterson, B.	Stowell
Anderson, R.	Fjoslien	Laidig	Piepho	Sviggum
Biersdorf	Forsythe	Levi	Pleasant	Thiede
Blatz	Friedrich	Ludeman	Redalen	Valan
Carlson, D.	Halberg	Luknic	Rees	Valento
Crandall	Haukoos	McDonald	Reif	Weaver
Dean	Heap	Mehrkens	Rose	Welker
Dempsey	Heinitz	Nelsen, B.	Rothenberg	Wieser
Den Ouden	Hoberg	Niehaus	Schreiber	Wigley
Drew	Jennings	Norman	Searle	Zubay

Not having received the required two-thirds vote the bill was not repassed.

SPECIAL ORDERS

Anderson, R., was excused from 5:10 p.m. to 7:00 p.m.

H. F. No. 378 was reported to the House.

Otis moved to amend H. F. No. 378, as follows:

Amend the title as follows:

Page 1, line 5, delete "legislative approval;"

The motion prevailed and the amendment was adopted.

CALL OF THE HOUSE LIFTED

Forsythe moved that the call of the House be dispensed with. The motion prevailed and it was so ordered.

Otis moved to amend H. F. No. 378, as follows :

Page 1, line 13, delete "permanent,"

Page 2, line 20, delete "or for"

Page 2, delete all of line 21

Page 2, line 31, after "shall" insert "not"

Page 3, delete lines 22 to 32 and insert:

"(1) that the Nuclear Regulatory Commission, or its successor, has licensed use of the means and facilities for the safe and terminal disposition of radioactive waste material from the proposed plant; and

(2) that the cost for such demonstrated technologically feasible means and facilities can be calculated to reasonable accuracy."

The motion prevailed and the amendment was adopted.

Waldorf was excused for the remainder of today's session.

Zubay moved to amend H. F. No. 378, as amended, as follows :

Page 1, before "disposal" delete "and terminal"

In the Otis amendment to H. F. No. 378, amend as follows :

Line 9, delete "has licensed use of the" and insert "will have the"

Line 10, delete "and terminal" and insert "interim"

Line 11, after "plant" insert "until the commission determines a means for final disposition"

The motion prevailed and the amendment was adopted.

CALL OF THE HOUSE

On the motion of Otis and on the demand of 10 members, a call of the House was ordered. The following members answered to their names :

Aasness	Ellingson	Kalis	Novak	Sieben, M.
Adams	Erickson	Kelly	Nysether	Simoneau
Ainley	Esau	Kostohryz	Olsen	Stadum
Albrecht	Evans	Kroening	Onnen	Stoa
Anderson, B.	Ewald	Kvam	Osthoff	Stowell
Anderson, D.	Faricy	Laidig	Otis	Swiggum
Anderson, G.	Fjoslien	Lehto	Patton	Swanson
Anderson, I.	Forsythe	Levi	Pehler	Thiede
Battaglia	Friedrich	Long	Peterson, B.	Tomlinson
Begich	Fritz	Ludeman	Peterson, D.	Valan
Berglin	Fudro	Luknic	Piepho	Valento
Biersdorf	Greenfield	Mann	Pleasant	Vanasek
Blatz	Halberg	McCarron	Prahl	Voss
Brinkman	Haukoos	McDonald	Redalen	Weaver
Byrne	Heap	McEachern	Reding	Welch
Carlson, L.	Heinitz	Mehrkens	Rees	Welker
Clark	Hoberg	Metzen	Reif	Wenzel
Clawson	Hokanson	Minne	Rice	Wieser
Corbid	Jacobs	Moe	Rodriguez	Wigley
Crandall	Jaros	Munger	Rose	Wynia
Dean	Jennings	Murphy	Rothenberg	Zubay
Dempsey	Johnson, C.	Nelsen, B.	Sarna	Spkr. Norton
Den Ouden	Johnson, D.	Nelsen, M.	Schreiber	
Drew	Jude	Nelson	Searles	
Eken	Kahn	Niehaus	Sherwood	
Elioff	Kaley	Norman	Sieben, H.	

Otis moved that further proceedings of the roll call be dispensed with and that the Sergeant at Arms be instructed to bring in the absentees. The motion prevailed and it was so ordered.

H. F. No. 378, A bill for an act relating to nuclear waste management and disposal; requiring certificates of feasibility; administration by the Minnesota energy agency; providing penalties.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 58 yeas and 73 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Faricy	Kelly	Nelson	Sarna
Anderson, G.	Fjoslien	Kostohryz	Novak	Sieben, H.
Anderson, I.	Forsythe	Kroening	Olsen	Sieben, M.
Berglin	Fritz	Lehto	Otis	Stoa
Blatz	Fudro	Levi	Patton	Tomlinson
Byrne	Greenfield	Long	Pehler	Vanasek
Carlson, L.	Hokanson	McCarron	Peterson, D.	Welch
Casserly	Jacobs	Minne	Prahl	Wieser
Clark	Jaros	Moe	Reding	Wynia
Clawson	Johnson, C.	Munger	Reif	Spkr. Norton
Corbid	Jude	Murphy	Rice	
Ellingson	Kahn	Nelsen, M.	Rose	

Those who voted in the negative were:

Aasness	Ainley	Anderson, D.	Begich	Biersdorf
Adams	Albrecht	Battaglia	Berkelman	Brinkman

Carlson, D.	Halberg	Luknic	Piepho	Sviggum
Crandall	Haukoos	Mann	Pleasant	Swanson
Dean	Heap	McDonald	Redalen	Thiede
Dempsey	Heinitz	McEachern	Rees	Valan
Den Ouden	Hoberg	Mehrkens	Rodriguez	Valento
Drew	Jennings	Metzen	Rothenberg	Voss
Eken	Johnson, D.	Nelsen, B.	Schreiber	Weaver
Elioff	Kaley	Niehaus	Searle	Welker
Erickson	Kalis	Norman	Searles	Wenzel
Esau	Knickerbocker	Nysether	Sherwood	Wigley
Evans	Kvam	Onnen	Simoneau	Zubay
Ewald	Laidig	Osthoff	Stadum	
Friedrich	Ludeman	Peterson, B.	Stowell	

The bill was not passed, as amended.

There being no objection the order of business reverted to Reports of Standing Committees.

REPORTS OF STANDING COMMITTEES

Voss from the Committee on Appropriations to which was referred:

H. F. No. 733, A bill for an act relating to veterans; increasing the maximum amount of certain educational grants to certain persons; appropriating money; amending Minnesota Statutes 1978, Sections 197.11; and 197.75, Subdivision 1.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Sieben, H., from the Committee on Taxes to which was referred:

H. F. No. 1612, A bill for an act relating to metropolitan government; providing for metropolitan area agricultural preserves; providing property tax relief; appropriating money.

Reported the same back with the following amendments:

Page 6, line 14, after "successor" delete the comma and insert "or"

Page 9, delete lines 8 to 18 and insert "solely with reference to its appropriate agricultural classification and value notwithstanding sections 272.03, subdivision 8 and 273.11. In determining such value for ad valorem tax purposes the assessor shall not consider any added values resulting from nonagricultural factors."

Page 10, line 10, delete "1982" and insert "1983"

Page 10, after line 18, insert

"This section shall be effective for 1982 assessments for taxes payable in 1983."

Page 11, line 13, delete "and forest land" and insert "land preservation"

Pages 12, 13 and 14, delete section 15, and insert:

"Sec. 15. [EMINENT DOMAIN ACTIONS.] Subdivision

1. Any agency of the state, any public benefit corporation, any local, county or regional unit of government, or any other entity possessing powers of eminent domain under Minnesota Statutes, Chapter 117, shall follow the procedures contained in this section before (1) moving to acquire any land or easement having a gross area over ten acres in size within agricultural preserves; or (2) moving to advance a grant, loan, interest subsidy or other funds for the construction of dwellings, commercial or industrial facilities, or water or sewer facilities that could be used to serve nonfarm structures within agricultural preserves.

Subd. 2. Notice of intent shall be filed with the environmental quality board 60 days prior to such action containing information and in the manner and form required by the environmental quality board. The notice of intent shall contain a report justifying the proposed action, including an evaluation of alternatives which would not require acquisition within agricultural preserves.

Subd. 3. The environmental quality board, in consultation with affected units of government, shall review the proposed action to determine the effect on the preservation and enhancement of agriculture and agricultural resources within the preserves, and the relationship to local and regional comprehensive plans.

Subd. 4. If the environmental quality board finds that the proposed action might have an unreasonable effect on an agricultural preserve or preserves, the environmental quality board shall issue an order within the 60 day period for the party to desist from such action for an additional 60 day period.

Subd. 5. During the additional 60 day period, the environmental quality board shall hold a public hearing concerning the proposed action at a place within the preserve or otherwise easily accessible to the preserves upon notice in a newspaper having a general circulation within the area of the preserves, and individual notice, in writing, to the municipalities whose territory encompasses the preserves, and the agency, corporation or government proposing to take the action, to any public agency having the power of review of or approval of the action, and in a manner conducive to the wide dissemination of the findings to the public.

Subd. 6. The review process required in this section may be conducted jointly with any other environmental impact review conducted by the environmental quality board.

Subd. 7. The environmental quality board may request the attorney general to bring an action to enjoin any agency, corporation or government from violating the provisions of this subdivision.

Subd. 8. This section shall not apply to an emergency project which is immediately necessary for the protection of life and property.

Subd. 9. The environmental quality board shall be empowered to suspend any eminent domain action for up to one year which it determines to be contrary to the purposes of sections 2 to 19 and for which it determines there are reasonable and cost effective alternatives which have less negative impact on the agricultural preserves."

Page 16, after line 33, insert:

"Sec. 19. Minnesota Statutes 1978, Section 462.351, is amended to read:

462.351 [MUNICIPAL PLANNING AND DEVELOPMENT; STATEMENT OF POLICY.] The legislature finds that municipalities are faced with mounting problems in providing means of guiding future development of land so as to insure a safer, more pleasant and more economical environment for residential, commercial, industrial and public activities, *to preserve agricultural and other open lands*, and to promote the public health, safety, (MORALS) and general welfare. Municipalities can prepare for anticipated changes and by such preparations bring about significant savings in both private and public expenditures. Municipal planning, by providing public guides to future municipal action, enables other public and private agencies to plan their activities in harmony with the municipality's plans. Municipal planning will assist in developing lands more wisely to serve citizens more effectively, will make the provision of public services less costly, and will achieve a more secure tax base. It is the purpose of sections 462.351 to 462.364 to provide municipalities, in a single body of law, with the necessary powers and a uniform procedure for adequately conducting and implementing municipal planning.

Sec. 20. Minnesota Statutes 1978, Section 462.358, Subdivision 4, is amended to read:

Subd. 4. [RESTRICTIONS ON FILING AND RECORDING CONVEYANCES.] In a municipality in which subdivision regulations are in force and have been filed or recorded as provided in this section, no conveyance of land to which the regulations are applicable shall be filed or recorded, if the land is described in the conveyance by metes and bounds or by reference to an unapproved registered land survey made after

April 21, 1961 or to an unapproved plat made after such regulations become effective. The foregoing provision does not apply to a conveyance if the land described:

(1) was a separate parcel of record April 1, 1945 or the date of adoption of subdivision regulations under Laws 1945, Chapter 287, whichever is the later, or of the adoption of subdivision regulations pursuant to a home rule charter, or

(2) was the subject of a written agreement to convey entered into prior to such time,

(3) was a separate parcel of not less than two and one-half acres in area and 150 feet in width on January 1, 1966, or

(4) was a separate parcel of not less than five acres in area and 300 feet in width on July 1, 1980, or

((4)) (5) is a single parcel of commercial or industrial land of not less than five acres and having a width of not less than 300 feet and its conveyance does not result in the division of the parcel into two or more lots or parcels, any one of which is less than five acres in area or 300 feet in width (.), or

(6) is a single parcel of residential or agricultural land of not less than 20 acres and having a width of not less than 500 feet and its conveyance does not result in the division of the parcel into two or more lots or parcels, any one of which is less than 20 acres in area or 500 feet in width.

In any case in which compliance with the foregoing restrictions will create an unnecessary hardship and failure to comply does not interfere with the purpose of the subdivision regulations, the platting authority may waive such compliance by adoption of a resolution to that effect and the conveyance may then be filed or recorded. Any owner or agent of the owner of land who conveys a lot or parcel in violation of the provisions of this subdivision shall forfeit and pay to the municipality a penalty of not less than \$100 for each lot or parcel so conveyed. A municipality may enjoin such conveyance or may recover such penalty by a civil action in any court of competent jurisdiction."

Page 17, line 1, delete "19" and insert "21"

Page 17, line 2, delete "June" and insert "July"

Underscore all new material.

Amend the title as follows:

Page 1, line 4, after "relief;" insert "excepting the conveyance of certain land from restrictions on the filing and recording of

conveyances; modifying the policy statement for municipal planning and development;"

Page 1, line 4, before the period, insert: "amending Minnesota Statutes 1978, Sections 462.351; and 462.358, Subdivision 4"

With the recommendation that when so amended the bill pass.

The report was adopted.

Voss from the Committee on Appropriations to which was referred:

H. F. No. 1841, A bill for an act relating to state government; providing for certain historical memorials; providing an appropriation.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Voss from the Committee on Appropriations to which was referred:

H. F. No. 251, A bill for an act relating to local government; permitting self insurance of health benefits; authorizing joint self insurance; appropriating money; amending Minnesota Statutes 1978, Section 471.616, Subdivision 1; Section 60A.23, by adding a subdivision; and Chapter 471, by adding a section; repealing Minnesota Statutes 1978, Section 471.61, Subdivision 1b.

Reported the same back with the following amendments:

Page 7, line 33, delete "[APPROPRIATION.] *The sum of*
 is"

Page 8, lines 1 and 2, delete language before the period and insert:

"The commissioner shall perform the duties assigned in this act within the appropriations and complement established by Laws 1979, Chapter 333, Section 32"

Page 8, line 3, after "Statutes" delete "1978" and insert "*, 1979 Supplement*"

Further, amend the title as follows:

Page 1, line 4, after "insurance;" delete "appropriating money;"

Page 1, line 8, after "Statutes" delete "1978" and insert "*, 1979 Supplement*"

With the recommendation that when so amended the bill pass.

The report was adopted.

Voss from the Committee on Appropriations to which was referred:

H. F. No. 262, A bill for an act relating to local government; permitting self insurance for local governments; authorizing insurance pooling; appropriating money; amending Minnesota Statutes 1978, Sections 60A.02, Subdivisions 3 and 4; 79.01, Subdivisions 2 and 3; and Chapter 471, by adding sections.

Reported the same back with the following amendments:

Page 5, line 22, delete "[APPROPRIATION.] *The sum of \$_____ is*"

Page 5, lines 23 and 24, delete the language before the period and insert

"The commissioner shall perform the duties assigned in this act within the appropriations and complement established by Laws 1979, Chapter 333, Section 32"

Further, amend the title as follows:

Page 1, line 4, after "pooling;" delete "appropriating money;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Voss from the Committee on Appropriations to which was referred:

H. F. No. 1443, A bill for an act relating to transportation; providing for a transportation board; providing for transfer of certain duties, powers and functions of the public service commission and the commissioner of transportation to the transportation regulation board; regulating railroads and other common carriers of persons or property for hire; providing penalties; appropriating funds; amending Minnesota Statutes 1978, Sections 174.02, Subdivision 4; 174.03, Subdivision 2; 174.10, Subdivisions 1, 3, 4; 218.011, Subdivision 7; 218.021; 218.025; 218.031, Subdivisions 1, 6, 8, 10; 218.041; 218.071; 219.03; 219.14; 219.23; 219.24; 219.25; 219.27; 219.28; 219.383; 219.39; 219.40; 219.41; 219.42; 219.43; 219.46, Subdivision 7; 219.47; 219.51; 219.52; 219.54; 219.55; 219.562, Subdivision 3; 219.65; 219.681; 219.70; 219.71; 219.741; 219.85; 219.86; 219.87; 221.011, Subdivisions 2b, 15; 221.021; 221.031, Subdivision 1; 221.041; 221.051; 221.061; 221.071; 221.081; 221.101; 221.121; 221.131; 221.141, Subdivision 2; 221.151; 221.161; 221.171; 221.181; 221.221; 221.261; 221.271; 221.281; 221.291, Subdivision 1; 221.293; 221.295; 221.296, Subdivisions 2, 3, 4, 8; 221.55; 221.68; and Minnesota Statutes, 1979 Supplement, Sections 15A.081, Subdivision 1; and 221.011, Subdivision 22; repealing Minnesota Statutes 1978, Section 219.742.

Reported the same back with the following amendments:

Page 6, line 14, delete "APPROPRIATION;"

Page 6, line 14, delete "*Subdivision 1.*"

Page 6, delete lines 15 to 18

Page 6, line 19, delete "*Subd. 2.*"

Page 75, line 29, delete "1980" and insert "1981"

With the recommendation that when so amended the bill pass.

The report was adopted.

Voss from the Committee on Appropriations to which was referred:

H. F. No. 1763, A bill for an act relating to education; increasing the bonding authority of the higher education coordinating board; amending Minnesota Statutes, 1979 Supplement, Section 136A.171.

Reported the same back with the following amendments:

Page 1, line 18, delete "\$300,000,000" and insert "\$275,000,000"

With the recommendation that when so amended the bill pass.

The report was adopted.

Voss from the Committee on Appropriations to which was referred:

S. F. No. 654, A bill for an act relating to human services; providing state recognition and financial grants to volunteer programs for retired senior citizens; appropriating money.

Reported the same back with the following amendments:

Page 2, line 12, delete "1980" and insert "1981"

Page 2, line 22, delete "board on aging" and insert "commissioner of public welfare"

Page 2, line 23, delete "\$400,000" and insert "\$200,000"

Page 2, delete lines 25 and 26

With the recommendation that when so amended the bill pass.

The report was adopted.

Voss from the Committee on Appropriations to which was referred:

S. F. No. 975, A bill for an act relating to cemeteries; providing for the preservation of burial grounds; eliminating obsolete provisions; imposing penalties; appropriating money; amending Minnesota Statutes 1978, Section 307.08; repealing Minnesota Statutes 1978, Section 149.07.

Reported the same back with the following amendments:

Page 4, line 18, delete "1980"

Page 4, line 19, delete first "\$15,000"

With the recommendation that when so amended the bill pass.

The report was adopted.

Voss from the Committee on Appropriations to which was referred:

H. F. No. 1662, A bill for an act relating to state government; providing for a demonstration job-sharing project in state government; appropriating money.

Reported the same back with the following amendments:

Page 2, line 13, after the period insert:

"In no instance shall a person in a shared time position work less than 40 percent time, with the exception of the coordinator of this program. No position shall be selected if it is contained in a unit which is represented by an exclusive representative which has a collective bargaining agreement covering the unit unless the exclusive representative agrees to the selection. All shared time positions shall be equivalent in classification to the full-time position from which they are converted."

Page 4, line 22, delete ", except that" and insert a period

Page 4, line 25, after "cost" insert "to the employer"

Page 4, line 26, delete "of the coverage," and insert a period

Page 5, line 31, after "divisible" delete ", with" and insert a period

Page 5, line 31, after "contributions" insert "by the employer"

Page 5, line 32, delete "to be diminished in the same proportion" and insert "shall be equal to the appropriate share time percent of the full-time benefits"

Page 6, line 13, delete "Subdivision 1. There is"

Page 6, delete lines 14 to 18

Page 6, line 19, delete "Subd. 2."

Page 6, line 21, delete "sums" and insert "sum"

Page 6, line 22, delete "Fiscal year 1982 \$15,000"

Page 6, line 24, delete ".5" and insert "1"

Page 6, line 24, delete "persons" and insert "person"

With the recommendation that when so amended the bill pass.

The report was adopted.

Voss from the Committee on Appropriations to which was referred:

H. F. No. 1710, A bill for an act relating to energy; stating legislative energy policy; providing grants and assistance for community energy planning; assessment of fees for residential energy audits; appropriating money; amending Minnesota Statutes 1978, Section 116H.01; and Chapter 216B, by adding sections; Minnesota Statutes, 1979 Supplement, Section 116H.13, Subdivision 7.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 116H.01, is amended to read:

116H.01 [FINDINGS AND PURPOSE.] The legislature finds and declares that (THE PRESENT RAPID) *continued* growth in demand for energy (IS IN PART DUE TO UNNECESSARY ENERGY USE; THAT A CONTINUATION OF THIS TREND WILL RESULT IN SERIOUS DEPLETION OF FINITE QUANTITIES OF FUELS, LAND AND WATER RESOURCES, AND THREATS TO THE STATE'S ENVIRONMENTAL QUALITY; THAT THE STATE MUST INSURE CONSIDERATION OF URBAN EXPANSION, TRANSIT SYSTEMS; ECONOMIC DEVELOPMENT, ENERGY CONSERVATION AND ENVIRONMENTAL PROTECTION IN PLANNING FOR LARGE ENERGY FACILITIES; THAT THERE IS A NEED TO CARRY OUT ENERGY CONSERVATION MEASURES; AND THAT ENERGY PLANNING, PRO-

TECTION OF ENVIRONMENTAL VALUES, DEVELOPMENT OF MINNESOTA ENERGY SOURCES, AND CONSERVATION OF ENERGY REQUIRE EXPANDED AUTHORITY AND TECHNICAL CAPABILITY AND A UNIFIED, COORDINATED RESPONSE WITHIN STATE GOVERNMENT.)

(THE LEGISLATURE SEEKS TO ENCOURAGE THRIFT IN THE USE OF ENERGY, AND TO MAXIMIZE USE OF ENERGY EFFICIENT SYSTEMS, THEREBY REDUCING THE RATE OF GROWTH OF ENERGY CONSUMPTION, PRUDENTLY CONSERVING ENERGY RESOURCES, AND ASSURING STATEWIDE ENVIRONMENTAL PROTECTION CONSISTENT WITH AN ADEQUATE, RELIABLE SUPPLY OF ENERGY.) *will cause severe social and economic dislocations, and that the state has a vital interest in providing for: increased efficiency in energy consumption, the development and use of renewable energy resources wherever possible, and the creation of an effective energy forecasting, planning and education program.*

The legislature further finds and declares that the protection of life, safety and financial security for citizens during an energy crisis is of paramount importance.

Therefore, the legislature finds that it is in the public interest to encourage and support those energy programs which will prevent the need for annual increases in fossil fuel consumption by 1990 and the need for additional electrical generating plants, and provide for an optimum combination of energy sources consistent with environmental protection and the protection of citizens.

The legislature intends to monitor through energy policy, planning, and implementation the transition from historic growth in energy demand to a period when demand for traditional fuels becomes stable and the supply of renewable energy resources is readily available and adequately utilized.

Sec. 2. [116H.089] [COMMUNITY ENERGY PLANNING; GRANTS.] Subdivision 1. [PURPOSE.] *In order to improve the energy planning capabilities of local governments, the energy agency shall make grants to counties and cities, however organized. The energy agency shall give priority when granting funds to those units of government that submit plans that would result in significant savings of traditional energy sources, development of renewable energy systems, and broad community involvement. The director shall give priority to local units of government which agree to pay part of the cost of a program and which request grants for programs which can be duplicated by other local governments. The grants may be used to purchase materials, employ staff or contract with other units of government or qualified consultants.*

Subd. 2. [QUALIFYING EXPENDITURES.] Community energy planning grants may be used for the following purposes:

(a) To gather, monitor, and analyze local energy supply, demand, and cost information;

(b) Preparation of community energy plans which may be incorporated into other community plans and ordinances;

(c) Implementation of programs which result in significant energy savings or the development of alternative and renewable energy resources and which have the potential to achieve community energy conservation goals; and

(d) To assist neighborhood organizations in counties, and cities to do energy planning; and

(e) Any other purposes deemed appropriate by the director of the energy agency.

Subd. 3. [ADMINISTRATION.] The energy agency shall determine priorities pursuant to subdivisions 1 and 2, and shall promulgate rules for the submission and review of applications in accordance with the provisions of chapter 15. For this purpose the energy agency may adopt temporary rules pursuant to the provisions of section 15.0412, subdivision 5.

Sec. 3. Minnesota Statutes 1978, Chapter 216B, is amended by adding a section to read:

[216B.165.] [ENERGY AUDITS.] Subdivision 1. A customer who asks a public utility to perform an energy audit of his residence pursuant to 42 U.S.C. 8211 shall pay no more than \$10 of the administrative and general expenses associated with the audit. The remainder of the administrative and general expenses of operating a program of energy audits pursuant to 42 U.S.C. 8211, including those associated with program audits, list distribution, customer billing services, arranging services and post-installation inspections shall be treated as current operating expenses of providing utility service and shall be charged to all ratepayers of the public utility in the same manner as other current operating expenses of providing utility service.

Subd. 2. All audits performed pursuant to 42 U.S.C. 8211 of residences which are required by section 116H.129, subdivision 3 to comply with energy efficiency standards shall include a separate list of those improvements to the residence which are required to bring the residence into compliance with section 116H.129, subdivision 3, and a statement describing remedies available to tenants for violations.

Sec. 4. Minnesota Statutes, 1979 Supplement, Section 116H.13, Subdivision 7, is amended to read:

Subd. 7. Other state agencies authorized to issue permits for siting, construction or operation of large energy facilities, including the department of public service when the proposed facility would be subject to its ratemaking authority, shall present their position regarding need and participate in the public hearing process prior to the issuance or denial of a certificate of need. Issuance or denial of certificates of need shall be the sole and exclusive prerogative of the director and said determinations and certificates shall be binding upon other state departments and agencies, regional, county and local governments and special purpose government districts except as provided in sections 116C.01 to 116C.08 and 116D.04, subdivision 9.

Sec. 5. [APPROPRIATION.] Subdivision 1. There is appropriated from the general fund to the energy agency the sum of \$50,000 to administer the grant program established by section 2 and to develop model community energy plans and ordinances of statewide applicability pursuant to section 2. This appropriation shall remain available until June 30, 1981. The approved complement of the energy agency is increased by one person.

Subd. 2. There is appropriated from the general fund to the energy agency the sum of \$2,000,000 for the grants established by section 2. The appropriation shall not cancel but shall remain available until expended.

ARTICLE II

Section 1. [EMERGENCY RESIDENTIAL HEATING GRANTS.] Subdivision 1. The commissioner of economic security shall make grants to community action agencies, county boards, or other public or private nonprofit agencies for the purpose of providing emergency residential heating grants to low income households. These grants shall be made to the same agencies and in the same manner as provided for federal grants under the energy crisis assistance program of 42 U.S.C.A., Section 2809, Paragraph (a), Clause (5), except as otherwise provided in sections 1 to 5.

Subd. 2. The commissioner of economic security shall promulgate rules that provide: (a) procedures for the administration of grants; (b) data to be reported by grant recipients and heating fuel suppliers; and (c) other matters the commissioner finds necessary for the proper administration of the state and federal grant programs. The rules may take effect as temporary rules upon approval by the attorney general and without the normal publication in the state register and, 20 day wait for comments from the public, and may be amended in the same manner at a later date if comments from the public demonstrate that amendments are justified.

Subd. 3. Data on individuals collected, maintained, used, or disseminated pursuant to this act are private data on indi-

viduals and shall not be disclosed except as provided for data in the welfare system under Minnesota Statutes, 1979 Supplement, Section 15.1691.

Sec. 2. [ALLOCATIONS.] Money appropriated under section 12, subdivision 1, clauses (a) to (e) shall be allocated among local administrative agencies on the basis of the number of households in the area served by the agency whose income falls within the limits specified in section 3, subdivision 1, in relation to the total of these households in the state.

Sec. 3. [ELIGIBILITY; AMOUNT OF GRANT.] Subdivision 1. [INCOME LIMITS.] Emergency residential heating grants under this section shall be paid only to households not eligible for the federal energy crisis assistance program and whose total household income does not exceed the following limits:

Size of Household	Not More Than
1	\$ 5,100
2	6,750
3	8,400
4	10,050
5	11,700
6	13,350
	(For each additional household member add \$1,650.)

In determining total household income, a household with earned income may deduct from earned income state and federal income taxes and social security contributions. In addition, a household may deduct medical expenses which are not reimbursed by insurance or other sources and which exceed three percent of the household income.

Subd. 2 [AMOUNT OF GRANT.] The amount of a grant under this section, in combination with the special grant paid by the federal government directly to recipients of supplemental security income and money available to the state under the HEW block grant program shall be the least of:

(a) Fifty percent of the cost of residential heating energy paid or reasonably anticipated to be paid by the household during the winter heating season beginning in September and ending in May; or

(b) *The appropriate table of maximum grant amounts as follows:*

(1) *If the maximum grant for fuel oil under the current state plan for the federal energy assistance program, at the highest eligible income level is less than \$600, the following amounts graduated by size of household, income of household, and source of energy:*

Household Size	Household Income More Than but	Not More Than	Fuel Oil, Canadian Natural Gas and Propane	Wood and Other Energy Sources
1		\$ 4,250	\$400	\$267
	\$ 4,250	\$ 4,675	\$283	\$189
	\$ 4,675	\$ 5,100	\$167	\$111
2		\$ 5,625	\$400	\$267
	\$ 5,625	\$ 6,188	\$283	\$189
	\$ 6,188	\$ 6,750	\$167	\$111
3		\$ 7,000	\$400	\$267
	\$ 7,000	\$ 7,700	\$283	\$189
	\$ 7,700	\$ 8,400	\$167	\$111
4		\$ 8,375	\$400	\$267
	\$ 8,375	\$ 9,212	\$283	\$189
	\$ 9,212	\$10,050	\$167	\$111
5		\$ 9,750	\$400	\$267
	\$ 9,750	\$10,725	\$283	\$189
	\$10,725	\$11,700	\$167	\$111
6		\$11,125	\$400	\$267
	\$11,125	\$12,238	\$283	\$189
	\$12,238	\$13,350	\$167	\$111

or

(2) If the maximum grant for fuel oil under the current state plan for the federal energy assistance program, at the highest eligible income level is \$600 or more, the following amounts graduated by size of household, income of household, and source of energy:

Household Size	Household Income More Than but	Not More Than	Fuel Oil, Canadian Natural Gas and Propane	Wood and Other Energy Sources
1		\$ 4,250	\$600	\$400
	\$ 4,250	\$ 4,675	\$425	\$283
	\$ 4,675	\$ 5,100	\$250	\$167
2		\$ 5,625	\$600	\$400
	\$ 5,625	\$ 6,188	\$425	\$283
	\$ 6,188	\$ 6,750	\$250	\$167
3		\$ 7,000	\$600	\$400
	\$ 7,000	\$ 7,700	\$425	\$283
	\$ 7,700	\$ 8,400	\$250	\$167
4		\$ 8,375	\$600	\$400
	\$ 8,375	\$ 9,212	\$425	\$283
	\$ 9,212	\$10,050	\$250	\$167
5		\$ 9,750	\$600	\$400
	\$ 9,750	\$10,725	\$425	\$283
	\$10,725	\$11,700	\$250	\$167
6		\$11,125	\$600	\$400
	\$11,125	\$12,238	\$425	\$283
	\$12,238	\$13,350	\$250	\$167

For households of more than six members, the amount of the grant is scaled downward as income goes upward in the same manner as provided in tables 1 and 2 above.

Grants for recipients who use two or more types of fuel shall be based on the household's primary energy source.

Users of wood as the primary heating source, whether the wood is purchased or not, shall be eligible for assistance under this section.

Grants shall not be considered as income or resources under any other public or publicly assisted income tested program.

Sec. 4. [LEGISLATIVE AUDITOR REPORT.] *The legislative auditor shall submit to the legislature by January 1 of each year an audit report of the department of economic security concerning their administration of the emergency residential heating grant program. This report shall also contain a summary of the audit results of the local agencies involved in the administration of this program.*

These financial and compliance audits of the local agencies shall be initiated, monitored, and approved by the department of economic security. The legislative auditor must approve the selection of the auditors and scope of the audit.

Sec. 5. Minnesota Statutes, 1979 Supplement, Section 268.37, is amended to read:

268.37 [COORDINATION OF FEDERAL AND STATE RESIDENTIAL WEATHERIZATION PROGRAMS.] Subdivision 1. The department of economic security is the state agency to apply for, receive, and disburse (FEDERAL) money made available to the state by federal law (OR RULES PROMULGATED THEREUNDER) for the purpose of weatherizing the residences of low-income persons. The commissioner of economic security shall coordinate available federal money with (ANY) state money appropriated for this purpose.

Subd. 2. The commissioner shall make grants of federal and state money to community action agencies and other public or private nonprofit agencies for the purpose of weatherizing the residences of low-income persons. Grant applications shall be submitted in accordance with rules developed pursuant to 42 U.S.C., Sections 6861 to 6872, any other relevant federal weatherization program, and rules promulgated by the commissioner.

Subd. 3. The commissioner shall promulgate temporary rules as necessary to administer the grants program (BY JULY 1, 1979) and shall promulgate permanent rules by July 1, 1980. The rules shall describe: (a) procedures for the administration of grants, (b) data to be reported by grant recipients, and (c)

other matters the commissioner finds necessary for the proper administration of the grant program including compliance with relevant federal regulations. Weatherization assistance shall be given to households where the total income does not exceed 125 percent of the poverty level as updated by the federal office of management and budget poverty guidelines.

Subd. 4. [SUPPLEMENTARY STATE GRANTS.] *The commissioner shall distribute supplementary state grants in a manner consistent with the goal of producing the maximum number of weatherized units feasible. Supplementary state grants are provided primarily for the payment of additional labor costs for the federal weatherization program, and as an incentive for the increased production of weatherized units.*

Criteria for the allocation of state grants to local agencies include: (a) existing local agency production levels, (b) availability of CETA resources in the area, (c) emergency needs, and (d) the potential for maintaining or increasing acceptable levels of production in the area.

An eligible local agency may receive advance funding for 90 days' production, but thereafter shall receive grants solely on the basis of program criteria.

Subd. 5. The commissioner shall submit reports to the legislature by March 1 of each year, (1980, AND MARCH 1, 1981,) evaluating the weatherization program. The reports shall describe: (a) the number of households weatherized, (b) the average cost per household, (c) any change in energy consumption after weatherization, (d) outreach efforts, and (e) any other information the commissioner feels is relevant, including information routinely submitted to the federal government.

Sec. 6. Minnesota Statutes 1978, Section 462A.05, is amended by adding a subdivision to read:

Subd. 15b. It may make grants to assist in energy conservation rehabilitation measures for existing owner occupied housing including, but not limited to: insulation, storm windows and doors, furnace or space heater repair, cleaning or replacement, chimney construction or improvement, weatherstripping and caulking, and structural or other directly related repairs essential for energy conservation. The grant to any household shall not exceed \$2,000.

To be eligible for an emergency conservation grant, a household must be certified as eligible to receive emergency residential heating assistance under either the federal or the state program, and either (1) have had a heating cost for the preceding heating season that exceeded 120 percent of the regional average for the preceding heating season for that energy source as determined by the energy agency, or (2) be eligible to receive a

federal energy conservation grant, but be precluded from receiving the grant because of a need for directly related repairs that cannot be paid for under the federal program. The housing finance agency shall make a reasonable effort to determine whether other state or federal loan and grant programs are available and adequate to finance the intended improvements. An emergency energy conservation grant may be made in conjunction with grants or loans from other state or federal programs that finance other needed rehabilitation work. The receipt of a grant pursuant to this section shall not affect the applicant's eligibility for other housing finance agency loan or grant programs.

Temporary rules to implement this subdivision may be promulgated and amended pursuant to chapter 15. The temporary rules may remain in effect until July 1, 1981.

Sec. 7. Minnesota Statutes 1978, Section 462A.21, is amended by adding a subdivision to read:

Subd. 4g. It may make emergency energy conservation grants as provided in section 9 and may pay the costs and expenses necessary and incidental to the development of the emergency energy conservation grant program.

Sec. 8. [STATE PLAN FOR SPENDING FEDERAL MONEY.] *Subdivision 1. The governor shall submit to the appropriate federal agency a state delivery plan for money the state receives under the Federal Home Energy Assistance Act of 1980, that includes the following elements:*

(a) Those households in which one or more individuals are eligible for (a) aid to families with dependent children, (b) supplemental security income payments, (c) food stamps, or (d) certain veteran's benefits as limited by the Home Energy Assistance Act of 1980 shall be categorically eligible for assistance under the state plan, and procedures for simplified application shall be developed.

(b) Users of wood as a primary heating source, whether the wood is purchased or not, shall be eligible for assistance if otherwise eligible under federal law.

(c) Grants under the state plan may be in the form of a direct payment to an eligible household or as a line of credit to an energy supplier. The plan shall describe the conditions under which direct payment is permitted.

(d) Eligible households that have medically necessary cooling costs, as limited by federal law, shall be eligible for assistance.

(e) *The state plan shall provide that three percent of the federal money shall be set aside for the emergency uses specified in federal law.*

Subd. 2. Before the state plan is submitted to the appropriate federal agency, the governor shall deliver the plan to the appropriate committees of the legislature for review and comment. Thereafter, the governor shall notify the committees of any changes made in the plan.

Sec. 9. [APPROPRIATIONS.] *Subdivision 1. The sum of \$20,000,000 is appropriated from the general fund to the commissioner of economic security for the purposes specified in this subdivision, to be available for the fiscal year ending June 30 in the year indicated.*

1980

1981

(a) *For the purposes specified in*
Section 1. \$5,000,000

Any unencumbered balance remaining in the first year does not cancel, but is available for the second year of the biennium for the purposes specified in clause (c)

(b) *For emergency residential heating assistance* **\$6,000,000**

(1) *If for any reason, federal money is not available, this appropriation may be used for grants to be made pursuant to the current state plan.*

(2) *If federal money is available to pay energy grants to persons eligible under section 1, up to \$5,000,000 of the money appropriated in clause (c) is available for any state matching requirement required by a federal energy assistance program.*

(3) *If a household's income does not exceed 168 percent of office of management and budget nonfarm poverty guidelines and the household is not eligible for assistance under the federal program for fiscal year 1981, the money appropriated in clauses (b) and (c) is available for grants in the same manner, and form as is specified in the state plan for the fed-*

eral energy assistance program for fiscal year 1981.

(c) If grants are paid from the appropriation of state money in clauses (b) and (c) to persons eligible to receive grants for the same purpose from federal money, the appropriations shall be reimbursed for those grants from federal money when the federal money becomes available if reimbursement is permitted under federal law.

(d) Local administrative agencies may retain up to five percent of the appropriations in clauses (a), (b), and (c) for administrative costs. The state administrative agency may retain up to two percent of the appropriation for administrative costs.

(e) Weatherization of residences pursuant to section 5 to be available until June 30, 1981. Local administrative agencies may retain up to 7-1/2 percent of the appropriation in clause (e) for administrative costs. The state administrative agency may retain up to two percent of the appropriation in clause (e) for administrative costs. \$9,000,000

Subd. 2. The sum of \$4,000,000 is appropriated from the general fund to the housing development fund created by Section 462A.20, for the purpose of the emergency energy conservation grant program specified in sections 6 and 7, and for the payment of related costs and expenses. The complement of the housing finance agency is increased by two positions.

Subd. 3. The sum of \$1,000,000 is appropriated from the general fund to the commissioner of public welfare to reimburse counties for the county portion of expenses incurred by them in providing residential heating assistance under the emergency assistance and special needs allowance programs during fiscal years 1980 and 1981. No county match is required for this money.

ARTICLE III

Section 1. Minnesota Statutes, 1979 Supplement, Section 116H.02, Subdivision 5, is amended to read:

Subd. 5. "Large energy facility" means:

(a) Any electric power generating plant or combination of plants at a single site with a combined capacity of 50,000 kilowatts or more, or any facility of 5,000 kilowatts or more which requires oil, natural gas, or natural gas liquids as a fuel and for which an installation permit has not been applied for by May 19, 1977 pursuant to Minn. Reg. APC 3(a);

(b) Any high voltage transmission line with a capacity of 200 kilovolts or more and with more than 50 miles of its length in Minnesota; or, any high voltage transmission line with a capacity of 300 kilovolts or more with more than 25 miles of its length in Minnesota;

(c) Any facility on a single site designed for or capable of storing more than one million gallons of crude petroleum or petroleum fuels or oil or their derivatives, unless the facility would be at an existing petroleum storage site and would constitute an increase of less than 20 percent in the storage capacity at that site;

(d) Any pipeline greater than six inches in diameter and having more than 50 miles of its length in Minnesota used for the transportation of coal, crude petroleum or petroleum fuels or oil or their derivatives;

(e) Any pipeline for transporting natural or synthetic gas at pressures in excess of 200 pounds per square inch with more than 50 miles of its length in Minnesota;

(f) Any facility designed for or capable of storing on a single site more than 100,000 gallons of liquified natural gas or synthetic gas;

(g) Any underground gas storage facility requiring permit pursuant to section 84.57;

(h) Any facility designed or capable of transferring more than 300 tons of coal per hour or with an annual throughput of more than 500,000 tons of coal from one mode of transportation to a similar or different mode of transportation;

(i) Any facility designed for or capable of storing more than (7,500) 75,000 tons of coal or with an annual throughput of more than 125,000 tons of coal;

(j) Any petroleum refinery;

(k) Any nuclear fuel processing or nuclear waste storage or disposal facility; and

(l) Any facility intended to convert any material into any other combustible fuel and having the capacity to process in excess of 25 tons of the material per hour.

Sec. 2. Minnesota Statutes 1978, Section 116H.087, is amended to read:

116H.087 [ENERGY CONSERVATION PUBLICITY.] The director of the energy agency in consultation with (THE DIRECTOR OF THE HOUSING FINANCE AGENCY) *other affected agencies or departments* shall develop *informational materials*, pamphlets and radio and television messages on (THE) energy conservation and housing programs available in Minnesota, *renewable energy resources, and energy supply and demand*. The (PAMPHLETS) *printed and broadcast materials* shall include information on available tax credits for residential energy conservation measures, residential retrofitting loan and grant programs, and data on the economics of energy conservation and *renewable resource* measures. (BEFORE THE PAMPHLETS OR MEDIA MESSAGES ARE RELEASED FOR GENERAL DISTRIBUTION THEY) *Copies of printed materials* shall be (REVIEWED BY) *distributed to members of the appropriate standing committees of the legislature.*

Sec. 3. Minnesota Statutes 1978, Section 116H.12, Subdivision 11, is amended to read:

Subd. 11. Beginning January 1, 1979, no new residential

- (a) forced air type central furnace,
- (b) cooking appliance manufactured with an electrical supply cord, or
- (c) clothes drying equipment

designed to burn natural gas equipped with a continuously burning pilot shall be sold or installed in Minnesota. *This subdivision shall not apply to forced air type furnaces designed for installation in mobile homes.*

Sec. 4. Minnesota Statutes 1978, Section 275.50, is amended by adding a subdivision to read:

Subd. 7. *The cost to a governmental subdivision of implementing certain energy related activities is a "special levy" and is not subject to tax levy limitations contained in sections 275.50 to 275.56. Activities which may be financed pursuant to this subdivision are the administrative costs of energy planning, energy committees and energy conservation programs; the costs of making grants for energy conservation and renewable energy resource demonstrations; and the costs of energy conservation measures installed in buildings owned by the governmental subdivision which are indicated in a maxi-audit as defined in section 116H.02. No more than one mill on each dollar of the assessed valuation of taxable property in the governmental sub-*

division may be levied by each governmental subdivision for this purpose.

Sec. 5. Minnesota Statutes, 1979 Supplement, Section 116H.22, is amended to read:

116H.22 [FUNDS FOR SCHOOLS AND GOVERNING BODIES.] Funds to pay part or all of the actual costs of *mini-audits*, *maxi-audits* and energy conservation measures performed by or for schools and governing bodies shall be available from legislative appropriations made for that purpose in accordance with the priorities established in section 116H.23. *Funds appropriated pursuant to this section shall be available to school districts and local governmental units which submitted acceptable mini-audits or maxi-audits after April 9, 1976 and prior to July 1, 1979.*

Sec. 6. [AVAILABILITY OF MATCHING FUNDS; POSITIONS.] *Money appropriated by Extra Session Laws 1979, Chapter 2, Section 45, Subdivision 2, Clause (i) shall be available for use in matching federal, local or private money for district heating systems when the federal or local government or private sources, or a combination thereof, issues a letter of intent to finance the project at the rate of \$3 for each \$1 of state money. Positions authorized by Extra Session Laws 1979, Chapter 2, Section 45, Subdivision 2, may be in the classified or unclassified service.*

Sec. 7. [RENEWABLE ENERGY RESOURCE RESEARCH AND DEVELOPMENT GRANTS.] *The Minnesota energy agency may make grants to implement research projects and demonstrations of the use of wind and wood or agricultural residues. The director of the agency shall make grants to projects which will further the development of renewable energy technologies which utilize Minnesota energy resources. Funds shall be released to successful applicants pursuant to this section by the commissioner of finance when the federal government, a local government, private sources or a combination thereof issues a letter of intent to finance the project. State funding shall not exceed a maximum of one-third of the total cost of any project.*

Funds shall be appropriated to the Minnesota energy agency for the year beginning July 1, 1980, for research on the potential of using Minnesota wetlands for plant biomass production for energy. A report of this research shall be presented to the appropriate standing committee of the legislature by March 1, 1982.

Sec. 8. [ENERGY EFFICIENT BUILDING EDUCATION.] *The energy agency shall develop a program to provide information and training to contractors, engineers and architects on techniques and standards for the design and construction of buildings which maximize energy efficiency. The program may*

include the production of printed materials and the development of training courses.

Sec. 9. [ENERGY AUDITS.] *The energy agency and the consumer services division of the department of commerce shall develop a state plan for and carry out the state's responsibilities under a federally-mandated program of energy audits of residential and commercial buildings. The program shall be operated in compliance with standards established pursuant to Title 42 United States Code 8211.*

Sec. 10. [ETHANOL PLANT DEMONSTRATION.] *The University of Minnesota shall construct and operate a small scale plant for the production of ethanol. The plant shall produce ethanol from more than one resource. The plant shall operate for at least two years and shall be instrumented and monitored. The university shall determine the feasibility of utilization of byproducts produced by the plant. The plant shall be designed for easy replication by farmers. The university shall develop and print easily understandable plans and blueprints which demonstrate the construction of a small scale ethanol plant. The plans and blueprints shall be available at no cost from the agricultural extension service.*

Sec. 11. Minnesota Statutes 1979 Supplement, Section 116H.-085, is amended to read:

116H.085 [ENERGY INFORMATION CENTER.] *The director shall establish an energy (CONSERVATION) information center in the agency's offices in St. Paul. The information center shall maintain a toll-free telephone information service and disseminate printed materials on energy conservation topics, including but not limited to, availability of loans and other public and private financing methods for energy conservation physical improvements, the techniques and materials used to conserve energy in buildings, including retrofitting or upgrading insulation and installing weatherstripping, the projected prices and availability of different sources of energy, and (THE) alternative sources of energy.*

The energy information center shall serve as the official Minnesota alcohol fuels information center and shall disseminate information, printed, by the toll-free telephone information service, or otherwise on the applicability and technology of alcohol fuels.

The information center shall include information on the potential hazards of energy conservation techniques and improvements in the printed materials disseminated. The agency shall not be liable for damages arising from the installation or operation of equipment or materials recommended by the information center.

Sec. 12. [APPROPRIATIONS.] Subdivision 1. The sum of \$2,115,000 is appropriated from the general fund to the agencies and for the purposes indicated in this section, to be available until June 30, 1981, except as otherwise provided in this section. Approved complement positions may be in the classified or unclassified service and shall be for the balance of the biennium ending June 30, 1981 only.

Subd. 2. To the Minnesota energy agency:

(a) Expansion of the energy conservation information center established pursuant to Minnesota Statutes, Section 116H.085\$123,000

Approved complement

(b) Energy conservation publicity pursuant to section 2\$230,000

Approved complement

(c) Continued operation of fuel allocation program\$182,000

Approved complement — 8

(d) Energy supply emergency plan development \$ 60,000

Approved complement

(e) Renewable energy resource research and development grants pursuant to section 8\$350,000

(f) Wetlands for the plant biomass research pursuant to section 8\$250,000

(g) Energy efficient building education pursuant to section 9\$ 70,000

Approved complement

(h) Development of energy audit program for residential and commercial buildings pursuant to section 10\$ 70,000

Approved complement

The approved complement for this subdivision is 12.

The appropriation in this subdivision is reduced by \$150,000.

Subd. 3. To the department of natural resources for developing and implementing a fuelwood management program to increase the availability of fuelwood on public and private lands by the application of sound forest management techniques including timber stand improvements and utilization of wood residues resulting from timber harvesting and site conversion. \$400,000

Notwithstanding any law to the contrary the department may make contracts for professional, technical or consulting services to implement this program.

Approved complement — 1.

Subd. 4. To the University of Minnesota for construction and operation of small scale ethanol plant and production of plans and blueprints pursuant to section 11 \$300,000

Subd. 5. To the department of administration for the purchase of 20 commuter vans for use in the state employee commuter van program established pursuant to Minnesota Statutes, Section 16.756 \$200,000

Subd. 6. To the department of commerce for development of energy audit program for commercial and residential buildings \$ 30,000

Approved complement — 1.

Subd. 7. The sum of \$150,000 is appropriated from the general fund to the Minnesota housing finance agency for the purpose of subsidizing the loan origination fee on a rehabilitation loan of \$2,000 or less if the loan is made in accordance with Minnesota Statutes, Section 462A.05, Subdivision 14, to enable the recipient to accomplish energy conservation related improvements. The appropriation in this section may be used only to subsidize that part of a loan origination fee which is equal to the difference between the origination fee for the loan and two percent of the face value of the loan. The appropriation shall be available until expended.

Before January 15, 1981, the Minnesota housing finance agency shall report to the legislature on the effectiveness of the loan origination fee subsidization program financed pursuant to section 1.

Sec. 13. [REPEALER.] Minnesota Statutes 1978, Sections 116H.125; and 325.986, Subdivisions 1 and 2, are repealed.

ARTICLE IV

Section 1. [216B.241] [ENERGY CONSERVATION IMPROVEMENTS.] Subdivision 1. [DEFINITIONS.] For purposes of this section, the terms defined in this subdivision shall have the meanings given them:

(a) "Commission" means the public service commission, department of public service;

(b) "Energy conservation improvement" means the purchase or installation of any device, method or material that increases the efficiency in the residential use of electricity or natural gas including, but not limited to:

- (1) insulation and ventilation;
- (2) storm or thermal doors or windows;
- (3) caulking and weatherstripping;
- (4) furnace efficiency modifications;
- (5) thermostat or lighting controls;
- (6) awnings; or

(7) systems to turn off or vary the delivery of energy. The term "energy conservation improvement" does not include any device or method which creates, converts or actively uses energy from renewable sources such as solar, wind and biomass.

(c) "Investments and expenses of a public utility" includes the investments and expenses incurred by a public utility in connection with an energy conservation improvement including, but not limited to:

(1) the differential in interest cost between the market rate and the rate charged on a no interest or below market interest loan made by a public utility to a customer for the purchase or installation of an energy conservation improvement;

(2) the difference between the utility's cost of purchase or installation of energy conservation improvements and any price charged by a public utility to a customer for such improvements.

(d) "Public utility" has the same meaning as given that term in section 216B.02, subdivision 4. For the purposes of this section, "public utility" shall not include cooperative electric associations that become subject to rate regulation after the effective date of this act.

Subd. 2. [PROGRAMS.] Prior to January 1, 1981, the commission, after consultation with the energy agency, shall initiate a pilot program designed to demonstrate the feasibility of investments and expenses of a public utility in energy conservation improvements. The commission, as part of the pilot program, shall order at least one public utility to make investments and expenditures in energy conservation improvements, explicitly setting forth the interest rates, prices, and terms under which the improvements shall be offered to the customers. The commission shall not order a utility to make any energy conservation improvement investment or expenditure unless it first finds that the improvement will result in energy savings at a total cost to the utility less than the cost to the utility to produce or purchase an equivalent amount of new supply of energy. Investments and expenditures made pursuant to such orders shall be treated for ratemaking purposes in the manner prescribed in section 2 of this act. No utility shall make an energy conservation improvement pursuant to this section to a residential building envelope unless it is the primary supplier of energy used for either space heating or cooling in the building.

Subd. 3. [OWNERSHIP OF RESIDENTIAL ENERGY CONSERVATION IMPROVEMENTS.] Any energy conservation improvement made to or installed in any residential building pursuant to this section shall be the exclusive property of the owner of said building except insofar as it is subjected to a security interest in favor of the utility in case of a loan to the building owner. The utility shall have no liability for loss, damage or injury caused directly or indirectly by any energy conservation improvement except for negligence by the utility in purchase, installation, or modification of the product.

Subd. 4. [FEDERAL LAW PROHIBITIONS.] If investments by public utilities in energy conservation improvements are in any manner prohibited or restricted by federal law and there is a provision under which such prohibition or restriction may be waived, then the commission, the governor, or any other necessary state agency or officer shall take all necessary and appropriate steps to secure such waiver with respect to those public utility investments in energy conservation improvements included in this section.

Sec. 2. Minnesota Statutes 1978, Section 216B.16, is amended by adding a subdivision to read:

Subd. 6b. All investments and expenses of a public utility incurred in connection with energy conservation improvements as defined in section 1, subdivision (1)(c) shall be recognized and included by the commission in the determination of just and reasonable rates as if the investments and expenses were directly made or incurred by the utility in furnishing utility service.

Sec. 3. Minnesota Statutes, 1979 Supplement, Section 116H.13, Subdivision 3, is amended to read:

Subd. 3. No proposed large energy facility shall be certified for construction unless the applicant has justified its need. In assessing need, the director shall evaluate:

(1) The accuracy of the long range energy demand forecasts on which the necessity for the facility is based;

(2) The effect of existing or possible energy conservation programs under sections 116H.01 to 116H.15 or other federal or state legislation on long term energy demand;

(3) The relationship of the proposed facility to overall state energy needs, such as are described in the most recent state energy policy and conservation report prepared pursuant to section 116H.11;

(4) Promotional activities which may have given rise to the demand for this facility;

(5) Socially beneficial uses of the output of this facility, including its uses to protect or enhance environmental quality;

(6) The effects of the facility in inducing future development;

(7) Possible alternatives for satisfying the energy demand including but not limited to potential for increased efficiency of existing energy generation facilities;

(8) The policies, rules and regulations of other state and federal agencies and local governments (.); and

(9) *Any feasible combination of energy conservation improvements, required by the public service commission pursuant to section 1, that can (1) replace part or all of the energy to be provided by the proposed facility, and (2) compete with it economically."*

Further, delete the title and insert:

"A bill for an act relating to energy; stating legislative energy policy; providing grants and assistance for community energy planning; assessment of fees for residential energy audits; providing grants for residential heating costs and weatherization; providing guidelines for a state plan for spending federal money; reimbursing counties for heating emergency assistance expenses; defining large energy facilities; authorizing subdivisions to levy for certain energy related activities; providing grants for energy research and development projects; providing education on

building energy efficiency; energy audits; ethanol plant demonstration project; creating the alcohol fuels information center; directing the public service commission to establish a pilot project allowing utilities to make conservation investments for customers; appropriating money; amending Minnesota Statutes 1978, Sections 116H.01; 116H.087; 116H.12, Subdivision 11; 216B.16, by adding a subdivision; 275.50, by adding a subdivision; 462A.05, by adding a subdivision; 462A.21, by adding a subdivision; Chapter 216B, by adding a section; Minnesota Statutes, 1979 Supplement, Sections 116H.02, Subdivision 5; 116H.085; 116H.13, Subdivisions 3 and 7; 116H.22; and 268.37; repealing Minnesota Statutes 1978, Sections 116H.125; and 325.986, Subdivisions 1 and 2."

With the recommendation that when so amended the bill pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 733, 1612, 1841, 251, 262, 1443, 1763, 1662 and 1710 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 654 and 975 were read for the second time.

SPECIAL ORDERS

Norman was excused for the remainder of today's session.

H. F. No. 1768 was reported to the House.

Johnson, C., moved to amend H. F. No. 1768 as follows:

Page 2, line 13, delete everything after the period

Page 2, delete lines 14 to 16 and insert: "*Except in the case of fences bordering on state lands and partition fences between lands in two governmental units whose governing bodies have adopted differing policies, if a governing body adopts a policy regarding partition fences, the provisions of chapter 344 shall not apply within that governing body's jurisdiction. Chapter 344 shall apply in all other governmental units.*"

The motion prevailed and the amendment was adopted.

H. F. No. 1768, A bill for an act relating to partition fences; exempting certain lands from the provisions of chapter 344; providing that when only one owner or occupant is benefited by a fence he shall be assigned the entire expenses of the fence;

amending Minnesota Statutes 1978, Section 344.03, Subdivision 1; and Chapter 344, by adding sections.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called.

Sieben, H., moved that those not voting be excused from voting. The motion prevailed.

There were 91 yeas and 39 nays as follows:

Those who voted in the affirmative were:

Aasness	Ewald	Kostohryz	Nelsen, M.	Searle
Adams	Faricy	Kroening	Nelson	Searles
Anderson, B.	Fjoslien	Laidig	Novak	Sherwood
Anderson, R.	Forsythe	Lehto	Olsen	Sieben, H.
Battaglia	Fudro	Levi	Osthoff	Sieben, M.
Begich	Greenfield	Long	Otis	Simoneau
Berglin	Heap	Ludeman	Patton	Stoa
Biersdorf	Heinitz	Luknic	Pehler	Swanson
Blatz	Hokanson	Mann	Peterson, B.	Tomlinson
Brinkman	Jacobs	McCarron	Peterson, D.	Vanasek
Byrne	Jaros	McDonald	Piepho	Voss
Carlson, L.	Jennings	McEachern	Reding	Welch
Casserly	Johnson, C.	Mehrkens	Rees	Wigley
Clark	Jude	Metzen	Reif	Wynia
Clawson	Kahn	Minne	Rice	Spkr. Norton
Corbid	Kalis	Moe	Rodriguez	
Drew	Kelly	Munger	Rose	
Elioff	Kempe	Murphy	Rothenberg	
Ellingson	Knickerbocker	Nelsen, B.	Schreiber	

Those who voted in the negative were:

Ainley	Dean	Fritz	Nysether	Thiede
Albrecht	Dempsey	Halberg	Onnen	Valan
Anderson, D.	Den Ouden	Haukoos	Pleasant	Valento
Anderson, G.	Eken	Hoberg	Prahl	Weaver
Anderson, I.	Erickson	Johnson, D.	Redalen	Welker
Berkelman	Esau	Kaley	Stadum	Wenzel
Carlson, D.	Evans	Kvam	Stowell	Wieser
Crandall	Friedrich	Niehaus	Svigum	

The bill was passed, as amended, and its title agreed to.

S. F. No. 1797, A bill for an act relating to the Minnesota zoological garden; supplementing and clarifying the authority of the zoological garden board in regard to penalties for rule violations; regulating the use of the name or mark of the garden; providing penalties; amending Minnesota Statutes 1978, Section 85A.02, Subdivision 7; and Chapter 333, by adding sections.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 124 yeas and 8 nays as follows:

Those who voted in the affirmative were:

Adams	Eken	Kahn	Nelson	Sherwood
Albrecht	Elioff	Kaley	Niehaus	Sieben, H.
Anderson, B.	Ellingson	Kalis	Novak	Sieben, M.
Anderson, D.	Erickson	Kelly	Nysether	Simoneau
Anderson, G.	Esau	Kempe	Olsen	Stadum
Anderson, I.	Evans	Knickerbocker	Onnen	Stoa
Anderson, R.	Ewald	Kostohryz	Osthoff	Stowell
Battaglia	Faricy	Kroening	Otis	Sviggunn
Begich	Fjoslien	Kvam	Pehler	Swanson
Berglin	Forsythe	Laidig	Peterson, B.	Thiede
Berkelman	Friedrich	Lehto	Peterson, D.	Tomlinson
Biersdorf	Fudro	Levi	Piepho	Valan
Blatz	Greenfield	Long	Pleasant	Valento
Brinkman	Halberg	Luknic	Prahl	Vanasek
Byrne	Haukoos	Mann	Reding	Voss
Carlson, D.	Heap	McDonald	Rees	Weaver
Carlson, L.	Heinitz	McEachern	Reif	Welch
Casserly	Hoberg	Mehrkens	Rice	Welker
Clark	Hokanson	Metzen	Rodriguez	Wenzel
Clawson	Jacobs	Minne	Rose	Wieser
Corbid	Jaros	Moe	Rothenberg	Wigley
Crandall	Jennings	Munger	Sarna	Wynia
Dean	Johnson, C.	Murphy	Schreiber	Zubay
Dempsey	Johnson, D.	Nelsen, B.	Searle	Spkr. Norton
Drew	Jude	Nelsen, M.	Searles	

Those who voted in the negative were:

Aasness	Den Ouden	Ludeman	Patton	Redalen
Ainley	Fritz	McCarron		

The bill was passed and its title agreed to.

H. F. No. 2237 was reported to the House.

Murphy moved that H. F. No. 2237 be continued on Special Orders for one day. The motion prevailed.

H. F. No. 1818, A bill for an act relating to game and fish; authorizing moose seasons in the discretion of the commissioner; granting preference to landowners in obtaining moose licenses; amending Minnesota Statutes 1978, Section 100.27, Subdivision 2; and Minnesota Statutes, 1979 Supplement, Section 100.271, Subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called.

Sieben, H., moved that those not voting be excused from voting. The motion prevailed.

There were 126 yeas and 5 nays as follows:

Those who voted in the affirmative were:

Aasness	Drew	Kahn	Novak	Sieben, M.
Adams	Eken	Kaley	Nysether	Simoneau
Ainley	Elioff	Kalis	Olsen	Stadum
Albrecht	Ellingson	Kelly	Onnen	Stoa
Anderson, B.	Erickson	Knickerbocker	Otis	Stowell
Anderson, D.	Esau	Kostohryz	Patton	Sviggun
Anderson, G.	Evans	Kroening	Pehler	Swanson
Anderson, I.	Ewald	Kvam	Peterson, B.	Thiede
Anderson, R.	Faricy	Laidig	Peterson, D.	Tomlinson
Battaglia	Fjoslien	Lehto	Piepho	Valan
Begich	Forsythe	Levi	Pleasant	Valento
Berglin	Friedrich	Long	Prahl	Vanasek
Berkelman	Fudro	Ludeman	Redalen	Voss
Biersdorf	Greenfield	Luknic	Reding	Weaver
Blatz	Halberg	Mann	Rees	Welch
Brinkman	Haukoos	McDonald	Reif	Welker
Byrne	Heap	McEachern	Rice	Wenzel
Carlson, D.	Heinitz	Mehrkens	Rodriguez	Wieser
Carlson, L.	Hoberg	Metzen	Rose	Wigley
Clark	Hokanson	Minne	Rothenberg	Wynia
Clawson	Jacobs	Munger	Sarna	Zubay
Corbid	Jaros	Murphy	Schreiber	Spkr. Norton
Crandall	Jennings	Nelsen, B.	Searle	
Dean	Johnson, C.	Nelsen, M.	Searles	
Dempsey	Johnson, D.	Nelson	Sherwood	
Den Ouden	Jude	Niehaus	Sieben, H.	

Those who voted in the negative were:

Fritz	Kempe	McCarron	Moe	Osthoff
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The bill was passed and its title agreed to.

Sieben, H., moved that the remaining bills on Special Orders for today be continued one day. The motion prevailed.

GENERAL ORDERS

Sieben, H., moved that the bills on General Orders for today be continued one day. The motion prevailed.

MOTIONS AND RESOLUTIONS

Brinkman moved that the names of Kvam and Onnen be added as authors on H. F. No. 2430. The motion prevailed.

Sieben, H., moved that H. F. No. 2105 be recalled from the Committee on Environment and Natural Resources and be re-referred to the Committee on Rules and Legislative Administration. The motion prevailed.

Carlson, D., moved that H. F. No. 1850 be returned to its author. The motion prevailed.

House Resolution No. 34 was reported to the House.

HOUSE RESOLUTION NO. 34

A house resolution relating to Handicapped Awareness Week.

Whereas, many disabled Minnesotans are prevented from living independently and fully participating in their communities due to physical, programmatic, social, attitudinal and recreational barriers; and,

Whereas, a significant effort must be made throughout Minnesota to eliminate barriers to employment, housing, transportation, education, public services and public accommodations; and,

Whereas, lawmakers, law enforcement officials, other professionals and the general public need public education programs examining accessibility problems which people with disabilities confront in their daily life activities; and,

Whereas, the examination and demonstration of aids to the handicapped such as walkers, crutches, hearing aids, wheelchairs and electric larynx serve an important function in educating the public and the handicapped communities as to some of the aids available to the handicapped person, and that the attitudes towards the handicapped and demonstration of these aids help for a better understanding of the problems associated with the handicapped; *Now, Therefore*,

Be It Resolved by the House of Representatives of the State of Minnesota:

(1) The week of May 18-24, 1980, is proclaimed to be Handicapped Awareness Week.

(2) The Minnesota State Council for the Handicapped and the St. Cloud Area Council for the Handicapped are commended for making Minnesota more open and attentive to the needs of her handicapped citizens.

(3) The Chief Clerk of the House of Representatives is directed to prepare enrolled copies of this resolution and deliver them to the Minnesota State Council for the Handicapped and the St. Cloud Area Council for the Handicapped.

Pehler moved that House Resolution No. 34 be now adopted. The motion prevailed and the resolution was adopted.

Niehaus introduced:

House Resolution No. 44, A house resolution relating to extending congratulations to the Albany Huskies, the Minnesota State High School Girls' Basketball Class A Champions.

The resolution was referred to the Committee on Rules and Legislative Administration.

Wenzel introduced:

House Resolution No. 45, A house resolution congratulating the Little Falls Community High School Flyers girls' basketball team on winning the Class AA state high school girls' basketball tournament championship.

The resolution was referred to the Committee on Rules and Legislative Administration.

Anderson, R., introduced:

House Resolution No. 46, A house resolution relating to extending congratulations to New York Mills Senior High School on winning third place in the Class A state high school girls' basketball tournament.

The resolution was referred to the Committee on Rules and Legislative Administration.

Dempsey introduced:

House Resolution No. 47, A house resolution relating to extending congratulations and wishes for good sailing to Steve Somsen for participating in the Hawaii to Tahiti sailing voyage of the Polynesian Voyaging Society.

The resolution was referred to the Committee on Rules and Legislative Administration.

ADJOURNMENT

Sieben, H., moved that when the House adjourns today it adjourn until 10:30 a.m., Tuesday, March 25, 1980. The motion prevailed.

Sieben, H., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 10:30 a.m., Tuesday, March 25, 1980.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

